

1 the record.
 2 MS. RUSBINO: Okay, we're back on
 3 the record.
 4 Q. Mr. Peretto, I've now shown you all the
 5 exhibits that have been marked in this case, and
 6 I'm asking you if the document that I put in
 7 front of you which purports to be an Estimate of
 8 Benefits form was provided to you when you met
 9 with the Retirement System counselor prior to
 10 retiring in July or August of 2013?
 11 HEARING OFFICER RUSBINO: Which
 12 exhibit are you referring to?
 13 MR. ROBINSON: I haven't marked it
 14 yet.
 15 HEARING OFFICER RUSBINO: That's
 16 fine. I just didn't know if there was one
 17 already marked, and I'd like to have that.
 18 MR. ROBINSON: I recognize that Mr.
 19 Peretto has a series of documents with him.
 20 I'm not specifically raising an objection,
 21 but --
 22 HEARING OFFICER RUSBINO: Well, are
 23 you showing him the particular document?
 24 MR. ROBINSON: I have, yes.
 25 HEARING OFFICER RUSBINO: Well, we

1 question is. I'm perfectly happy to give as
 2 much leeway as is appropriate, but I'd really
 3 just like to complete the examination.
 4 HEARING OFFICER RUSBINO: Okay, Mr.
 5 Robinson, why don't you ask the question again
 6 for Mr. Peretto.
 7 Q. Mr. Peretto, can you identify, do you recognize
 8 that document as having received that when you
 9 met with the Retirement System counselor prior
 10 to retiring?
 11 A. Not Number C, no, I don't believe it was C,
 12 because I'm trying to reconcile to the one that
 13 I had with my package.
 14 MR. ROBINSON: Then I'll take it
 15 back from you.
 16 THE WITNESS: Now, I don't know if
 17 this one is mine.
 18 MR. ROBINSON: That's the same
 19 document. That was a courtesy copy for your
 20 counsel.
 21 Q. I'm showing you a copy I believe is already in
 22 the record, but I'm going to give you a clean
 23 copy of it, and I'll ask if that's your
 24 signature on it?
 25 A. Yes.

1 should probably mark that for identification,
 2 just to keep the record clear.
 3 MR. ROBINSON: I'd like this marked
 4 as Respondent's C for identification.
 5 MS. RUSBINO: Thank you. I just
 6 want to keep it clear for the record. So for
 7 the record, we're marking Respondent's C, at
 8 this point, for identification purposes. It is
 9 a two-page document entitled "Employees'
 10 Retirement System of Rhode Island Ordinary
 11 Service Estimate of Benefits Schedule A."
 12 (RESPONDENT'S EXHIBIT C MARKED FOR I.D.)
 13 Q. Mr. Peretto, have you seen Exhibit C, which has
 14 been marked for identification? Strike that.
 15 Did you receive a copy of that when you met with
 16 the retirement counselor prior to retiring?
 17 A. I'm trying to match it up with the one that
 18 I have, and that's -- this is when it was
 19 redone.
 20 MR. ROBINSON: I'm going to object
 21 only because I really just want to have the
 22 question answered.
 23 HEARING OFFICER RUSBINO: Do you
 24 need the question read back?
 25 MR. ROBINSON: No, I know what the

1 Q. And do you remember signing this document?
 2 A. Yes.
 3 Q. And this is an option selection form, correct,
 4 whereby, you indicated to the retirement
 5 counselor and to the Retirement Board the type
 6 of benefit that you wanted to select upon
 7 retirement?
 8 A. Yes.
 9 Q. And I'll specifically direct your attention to
 10 the language above your initials at the top of
 11 the third page, and that language in there
 12 indicates that the figures given below are
 13 estimates only, in large print; do you see that?
 14 I'm directing you to the document that I gave
 15 you, Mr. Peretto?
 16 THE WITNESS: Oh, this one?
 17 MR. ROBINSON: Yes.
 18 HEARING OFFICER RUSBINO: Has that
 19 document been marked?
 20 MR. ROBINSON: As soon as I get an
 21 answer I'm going to do just that.
 22 A. Yes, I do that.
 23 Q. Do you see the language indicating that the
 24 estimate of benefits is, in fact, just that,
 25 it's an estimate only, correct?

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1 A. Yes.
 2 Q. Okay. And at the time you signed this document,
 3 had you read it?
 4 A. Yes, I did.
 5 Q. And so you understood then the final language of
 6 the document itself, this was intended to be an
 7 estimate of your benefits?
 8 A. Yes.
 9 MR. ROBINSON: I'd move it as full.
 10 MS. RUSBINO: Do you have any
 11 objection?
 12 MR. MCKENNA: I don't object to the
 13 form, I just want to ask a question. I don't
 14 want to be excluded.
 15 MS. RUSBINO: No problem. I just
 16 wanted to know for purposes of how I would be
 17 marking it, so no objection from counsel for the
 18 Appellant, then we will mark it as Respondent's
 19 I.D. as a full exhibit. So Respondent's D full
 20 is a photocopy of a one-page document entitled
 21 Option Selection Form Employees' Retirement
 22 System. And I believe the date is July 9th,
 23 2013.
 24 (RESPONDENT'S EXHIBIT D MARKED FULL)
 25 Q. Mr. Perfetto, I'm showing you what's already

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1 been marked as Appellant's 5, and that is a
 2 letter that you received from the Retirement
 3 System in or about October of 2013, correct?
 4 A. Yes.
 5 Q. And that document reflects that the retirement
 6 system is now taking the position that the
 7 55,000 dollar payment that you received is not
 8 to be included in your pensionable, or in the
 9 calculation of your average compensation for
 10 retirement purposes, correct?
 11 A. Generally.
 12 Q. You had met with Mr. Midgley ahead of time and
 13 advised him of the fact that you had received a
 14 backpay award, correct?
 15 A. Yes.
 16 Q. Tell me about that lawsuit, what was that case
 17 about?
 18 THE WITNESS: I'd like my attorney
 19 --
 20 MR. ROBINSON: I'd like you to tell
 21 me what the case was about.
 22 A. I was laid off from my employment, and I had
 23 statutory rights.
 24 Q. When were you laid off?
 25 A. I think it was, I think it was 2009.

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1 Q. You were laid off in 2009?
 2 A. Yes, 2009.
 3 Q. And why were laid off?
 4 A. I didn't get a reason for it.
 5 Q. And you challenged the layoff?
 6 A. Yes.
 7 Q. Did you work for the 2008/2009 school year?
 8 A. Well, no, not -- school year, no, but I did
 9 go back to work in 2010.
 10 Q. Did you work in the 2007/2008 school year?
 11 A. Yes.
 12 Q. So for 2008 and 2009, you did not work; is that
 13 fair?
 14 A. I was prohibited from working.
 15 Q. And the lawsuit that you filed related to the
 16 work for the services that you should have
 17 performed in 2008 and 2009; is that correct?
 18 A. I believe it was. I was prevented from
 19 work.
 20 Q. So the idea was that you should have earned this
 21 money doing your job in 2008 and 2009?
 22 A. Yes.
 23 Q. The money wasn't given to you in 2010 for work
 24 that you did in 2010, correct?
 25 A. No, I believe the work -- the money was

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1 given to me because I was prohibited from
 2 working in 2009 to 2010.
 3 Q. Correct. So it wasn't for services earned or
 4 performed for Davies or for the Training School
 5 -- where were you working at the time, Davies?
 6 A. Before I was working at the Training School,
 7 yes.
 8 Q. Where did you work in 2010?
 9 A. The Training School.
 10 Q. So the 55,000 backpay award that you received
 11 wasn't for services provided for the training
 12 school in 2010, was it?
 13 MR. MCKENNA: Objection to form.
 14 MS. RUSBINO: That objection is to
 15 form?
 16 MR. MCKENNA: Form, yes. There's a
 17 state statute that awards him that money, and
 18 they violated the statute, and the court agreed,
 19 they agreed, and he got paid for it.
 20 HEARING OFFICER RUSBINO: Can you
 21 repeat the question again, please?
 22 (Question on Page 29, Line 7 Read)
 23 HEARING OFFICER RUSBINO: Objection
 24 overruled. And Mr. Perfetto, you can answer the
 25 question.

1 A. Yeah, that was for because I was prevented
 2 from working at the state.
 3 Q. In 2008 and 2009, correct?
 4 A. Yes.
 5 Q. I'm going to show you a copy of a document and
 6 ask you to take a look at it. Did you provide
 7 that letter to the Retirement Board, Mr.
 8 Perfetto?
 9 A. Yes, I did, along with the --
 10 Q. With the consent order that was entered in
 11 Superior Court?
 12 A. Yes, prior to me meeting with Mr. Midgley in
 13 April.
 14 MR. ROBINSON: I'm going to move
 15 full admission of that letter.
 16 MR. MCKENNA: No objection.
 17 HEARING OFFICER RUSBINO: Okay,
 18 that will be Respondent's E, and that will be a
 19 full exhibit, no objection from counsel for the
 20 Appellant. So we will move to have Respondent's
 21 E introduced as a full exhibit, and that is a
 22 photocopy of a one-page document addressed to
 23 John Midgley, M-i-d-g-l-e-y from Robert J.
 24 Perfetto, P-e-r-f-e-t-t-o.
 25 (RESPONDENT'S EXHIBIT E MARKED FULL)

1 A. Yes.
 2 Q. Did you understand this to be the official
 3 decision of the Retirement System to the
 4 Administration of the Retirement System with
 5 regard to your challenge regarding the
 6 calculation of your average compensation for
 7 retirement purposes?
 8 A. Yes.
 9 Q. And as a result of that letter, you requested a
 10 hearing; is that correct?
 11 A. I did request the hearing, but actually, it
 12 was Superior Court that said I should have a
 13 hearing.
 14 Q. That's correct, but you requested that hearing;
 15 correct?
 16 A. Yes.
 17 MR. ROBINSON: I'd ask that this be
 18 marked as a full exhibit.
 19 MR. MCKENNA: No objection.
 20 HEARING OFFICER RUSBINO: No
 21 objection from counsel for the appellant, and we
 22 will mark as Respondent's F, as in Frank, full
 23 exhibit. This is a three-page document dated
 24 June 20th, 2014, from the Employees' Retirement
 25 System of Rhode Island addressed to Kevin

1 Q. Mr. Perfetto, I'm showing you what has already
 2 been admitted as Appellant's 7 full. That's a
 3 copy of the consent order that was enclosed with
 4 the letter that we just looked at that you
 5 provided to the Retirement System before
 6 retiring; is that correct?
 7 A. Yes.
 8 Q. I'd like you to look at the first paragraph on
 9 the first page, and that paragraph -- I'm
 10 paraphrasing -- indicates that the backpay award
 11 of \$55,000 approximately, is being awarded among
 12 other things, for sums that would have been paid
 13 to you during the 2008 to 2009 school year,
 14 correct?
 15 A. Yes.
 16 Q. And as we just discussed, the backpay award did
 17 not relate to services that you provided to the
 18 state in 2010, but rather it was for work that
 19 you were prevented from doing in 2008 and 2009,
 20 correct?
 21 A. Yes, that's what it reads.
 22 Q. I'm now showing you a letter addressed to your
 23 counsel from the Executive Director for the
 24 Retirement System, and I'll ask if you've had a
 25 chance to look at that letter?

1 McKenna from Frank J. Karpinski, Executive
 2 Director. And, again, that will be marked -- no
 3 objection from counsel for the Appellant, and it
 4 will be marked as Respondent's F, full exhibit.
 5 (RESPONDENT'S EXHIBIT F MARKED FULL)
 6 Q. Mr. Perfetto, I'm showing you a document. Do
 7 you recognize that document as the letter
 8 assigning this hearing officer and setting up
 9 this hearing?
 10 A. I don't believe I've seen this copy myself.
 11 Q. You haven't seen this?
 12 A. No.
 13 MR. ROBINSON: I'll mark it for
 14 I.D.
 15 MR. MCKENNA: It's just a notice of
 16 the hearing.
 17 HEARING OFFICER RUSBINO: It's an
 18 assignment letter. They just send it to me to
 19 say that I'm assigned to the hearing.
 20 MR. ROBINSON: I would move, if my
 21 brother has not objection, I'd move admission of
 22 the document as a full exhibit.
 23 HEARING OFFICER RUSBINO: That's
 24 fine. No objection from counsel for the
 25 Appellant. We'll introduce it as Respondent's

1 G, as in George, a full exhibit. I just need
 2 the exhibit.
 3 MR. ROBINSON: I'll just take a
 4 quick minute. I think I'm done.
 5 HEARING OFFICER RUSBINO: Again,
 6 Respondent's G to be marked full. It's a
 7 one-page document of a photocopy of a letter
 8 from the Employees' Retirement System of Rhode
 9 Island, dated June 20, 2014, addressed to Kevin
 10 A. McKenna from Gail Mambro-Martin, Esquire.
 11 (RESPONDENT'S EXHIBIT G MARKED FULL)
 12 Q. Do you have a copy in front of you of Exhibit 5?
 13 THE WITNESS: Say it again?
 14 Q. The Midgley letter with attachments?
 15 A. Yes.
 16 Q. Would you just take a look at the second page of
 17 that letter?
 18 A. Okay.
 19 Q. And you received this letter, by the way, or
 20 this attachment, the second page of this
 21 attachment, with the letter from Mr. Midgley?
 22 A. Yes.
 23 Q. And on the second page, the document bearing the
 24 heading ERSRI Pension Record. Do you see where
 25 it indicates the years through 2010?

1 performed in 2010?
 2 MR. MCKENNA: Objection. Leading.
 3 MR. ROBINSON: It's cross
 4 examination.
 5 HEARING OFFICER RUSBINO: I'm going
 6 to sustain the objection.
 7 MR. ROBINSON: For leading?
 8 HEARING OFFICER RUSBINO: Well,
 9 just rephrase the question.
 10 Q. We agree that the backpay award that you
 11 received was not as a result of services
 12 provided to the state in 2010, correct?
 13 A. I don't agree with that. This is what I
 14 agree with, is that I earned \$142,558.98 in 2000
 15 from the State of Rhode Island, and that's what
 16 I agreed to. That's what the federal government
 17 agreed to. That's what the State of Rhode
 18 Island agreed to.
 19 Q. And the number that you just cited, Mr.
 20 Perfetto, includes a 55,000 dollar backpay
 21 award, correct?
 22 A. It may.
 23 Q. Not a current pay award, in other words, it
 24 wasn't for services you had provided
 25 contemporaneously with the payment, correct?

1 A. Yes.
 2 Q. And for 2010, it indicates \$35,698. Is it your
 3 understanding that that document reflects your
 4 earnings less the backpay award that was
 5 received in 2010?
 6 A. No, because my W-2 for --
 7 HEARING OFFICER RUSBINO: And which
 8 exhibit are you referring to, Mr. Robinson, that
 9 you're questioning.
 10 MR. ROBINSON: It's Appellant's 5.
 11 A. Yeah, in 2010, yeah, the wages from the
 12 state were \$142,558.98.
 13 Q. So do you have any understanding as to where the
 14 35,000 dollar number came from?
 15 A. Not really.
 16 Q. In the \$140,000 that you're indicating you've
 17 earned in that year, are you including the
 18 55,000 dollar backpay award?
 19 A. Yes.
 20 Q. That would be included, regardless, correct?
 21 A. Yes.
 22 Q. So you're including that monies you consider you
 23 earned in 2010?
 24 A. Yes.
 25 Q. But we agree that that was not for work

1 A. I'd have to go back and think about that,
 2 because maybe I was prevented from working and
 3 getting that money. I didn't get any interest
 4 on it.
 5 Q. Didn't you testify already that the work you
 6 were prevented from doing, was it 2008 and 2009?
 7 A. It might have been 2008, 2009.
 8 Q. So the payment that you received in 2010 was not
 9 for work that you had done in 2010, correct?
 10 A. That was according to this. This is the
 11 money that I made.
 12 Q. I'm not disagreeing with you about the money
 13 that you made in 2010. You received \$55,000 in
 14 the form of a backpay award in 2010, we agree on
 15 that?
 16 A. I don't know. Does it actually say backpay?
 17 It says compensation, I believe it says
 18 compensation.
 19 Q. Let's go back and look at it.
 20 MR. MCKENNA: I object to my client
 21 being asked to make legal conclusions.
 22 HEARING OFFICER RUSBINO: The
 23 question, as I understand, is that your client
 24 is indicating that it's for compensation. I
 25 don't think that Mr. Robinson is trying to

1 obtain a legal conclusion from him. He's just
 2 responding to your client's answer, which is
 3 your client indicating that he thought it was
 4 for compensation. So I believe Mr. Robinson is
 5 simply trying to clarify the information.
 6 MR. MCKENNA: If I may be allowed
 7 to present a little bit of argument here.
 8 HEARING OFFICER RUSBINO: Well, we
 9 have the Consent Order, correct. I don't have
 10 the exhibits that have actually been marked,
 11 because they're on that side. But I do have a
 12 courtesy copy of the consent order.
 13 MR. MCKENNA: I just ask you to
 14 look at the word compensation. It means it has
 15 to be earned and paid.
 16 HEARING OFFICER RUSBINO: Well,
 17 that's been the form of the legal argument, and
 18 that is as you pointed out at the commencement
 19 of the hearing, Mr. McKenna, that's part of the
 20 legal determination that's going to need to be
 21 made. Do we have a question pending?
 22 MR. ROBINSON: Yes, I do.
 23 Q. Mr. Peretto, the document that is directly in
 24 front of you, I believe it's Exhibit 7, is a
 25 copy of the Consent Order by which you received

1 A. For work I didn't do. In my mind. Those
 2 are my thoughts.
 3 Q. In 2010?
 4 A. Those are my honest thoughts.
 5 Q. Weren't you working in 2010?
 6 A. I was working in 2010.
 7 Q. So why would be receiving money from the state
 8 for work you didn't do in 2010, if you were
 9 working in 2010?
 10 A. I was working.
 11 Q. I understand. So why would you have been
 12 receiving money for work, having been prevented
 13 from working in 2010, if in fact you were
 14 working in 2010?
 15 A. I was working in 2010. I was working in
 16 2010, and I did receive this money, because in
 17 my mind it was compensation. In my mind, it was
 18 compensation. I'm not an attorney, okay. I
 19 don't want to be an attorney. I didn't study
 20 all the in's and outs of this. I was just
 21 presented -- came here in good faith, and that's
 22 what I did. I turned in all the materials to
 23 Mr. Midgley prior to me even coming here.
 24 Q. And you were provided with an estimate of
 25 benefits, correct?

1 approximately \$55,000 in settlement of a
 2 lawsuit, correct?
 3 A. Yeah, it was compensation.
 4 Q. It was a lawsuit that you brought, correct?
 5 A. To me it was compensation.
 6 Q. I'm not asking you about whether it was
 7 compensation or not. Do we agree that you
 8 received \$55,000 in settlement of a lawsuit in
 9 2010?
 10 A. Yes.
 11 Q. Okay. In Paragraph 3 of the Consent Order that
 12 settled your case addresses what that \$55,000
 13 was for; does it not?
 14 A. It appears that way.
 15 Q. And, at least in part, that was for monies that
 16 you would have earned had you worked during the
 17 2008/2009 year, correct?
 18 A. Yes.
 19 Q. It was not for contemporaneous work that you
 20 were doing right then and there for the State of
 21 Rhode Island, was it?
 22 A. In my mind, yes. In my mind -- you're
 23 asking me in my mind, yes.
 24 Q. In your mind it was for work that you had done
 25 in 2010?

1 A. That's correct, in good faith. No one told
 2 me anything that there was going to be any
 3 changes.
 4 Q. All right. And at least, factually, we will
 5 agree that in 2008 and 2009 you did not work,
 6 and in 2010, you did; correct?
 7 A. Actually, I worked in 2009, also.
 8 Q. So 2008 you did not work?
 9 A. I did work in 2000 -- it wasn't quite a
 10 year, it was like part of 2008 and part of 2009.
 11 Q. And that period when you did not work, it's what
 12 your lawsuit is about, right?
 13 A. Yes, I would say, yes, but I was prevented
 14 from working.
 15 Q. And that's what your case was about, and that's
 16 what your settlement was about; correct?
 17 A. Yes.
 18 MR. ROBINSON: I don't have
 19 anything else.
 20 HEARING OFFICER RUSBINO: Mr.
 21 McKenna?
 22 MR. MCKENNA: I have a little bit
 23 of cross here. If I could see the exhibits.
 24 HEARING OFFICER RUSBINO: I think
 25 all the ones -- let me give you the ones that I

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1 have. I don't actually have all of Respondents
 2 because some of those are at that table, but I
 3 will give you what I do have that's marked. I
 4 have Respondent's A.
 5 MR. ROBINSON: I have Appellant's
 6 1, 2. Why don't we get them all in order.
 7 HEARING OFFICER RUSBINO: Let's go
 8 off the record briefly just to coordinate the
 9 exhibits.
 10 (OFF THE RECORD)
 11 HEARING OFFICER RUSBINO: Okay, we
 12 are back on the record in the matter of Robert
 13 J. Perfetto. We were off briefly just to
 14 coordinate all of the exhibits for the Appellant
 15 and the Respondent. And now those have been all
 16 been put in the proper order, and at this
 17 juncture, I believe, Mr. McKenna, you were about
 18 to conduct redirect with your client, Mr.
 19 Perfetto.
 20 RE-EXAMINATION BY MR. MCKENNA:
 21 Q. On the exhibit for Respondent's D, which I have
 22 here in my hand, I'm going to show it to you.
 23 On the bottom of the page it's handwritten, I
 24 see the 79,404.60 divided by 12 equals 6,617.05.
 25 I'm going to show that to you. Did you write

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1 that?
 2 A. I believe I wrote that.
 3 Q. And why did you write it?
 4 A. I believe that was my -- that was what I was
 5 expecting to get.
 6 Q. Right. That's what Mr. Midgley told you you
 7 would receive if you retired?
 8 A. Yes.
 9 Q. And you wouldn't have retired if you didn't
 10 receive it, correct?
 11 A. Yes.
 12 Q. So the check that you did get wasn't that
 13 amount, was it?
 14 A. No.
 15 Q. It was 1,100 dollars short?
 16 A. Yes.
 17 MR. MCKENNA: I think that covers
 18 the exhibits.
 19 HEARING OFFICER RUSBINO: Any
 20 redirect?
 21 MR. ROBINSON: Just a quick
 22 follow-up on that very same exhibit.
 23 RE-EXAMINATION BY MR. ROBINSON:
 24 Q. You recall that that exhibit was the one that
 25 indicated that it was an estimate, correct?

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1 A. I did. I looked at it.
 2 Q. I prefer you look at the exact exhibit,
 3 Mr. Perfetto.
 4 A. Okay, give me the exact exhibit. Because
 5 when I read it -- I might not have been thinking
 6 exactly the same way that you were thinking.
 7 HEARING OFFICER RUSBINO: It's
 8 Respondent's D?
 9 MR. ROBINSON: Yes.
 10 A. And this goes to a survivor benefit, and
 11 that's what I had in my mind, and so I
 12 initialled that, thinking that that was going to
 13 be the amount, or close to it for survivor
 14 benefit.
 15 Q. Can we agree that the language above that,
 16 however, indicates that the figures given below
 17 are estimates only, correct?
 18 A. Estimates only, and it says retirees benefit
 19 amount. There's a line there. Now when I see a
 20 line, an estimate, okay, you know, that is a
 21 very vague statement, very, very vague in my
 22 terms.
 23 Q. That is an estimate, that's vague?
 24 A. How do you define estimate, okay. An
 25 estimate was, you know, like, what's the --

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1 let's take something like the amount. Is there
 2 a certain percentage, an estimate is within, is
 3 there a range? I'm not sure. I went and looked
 4 at this, and this is the only thing that went
 5 through my head, was that this was the type of
 6 option, the type of option. And that's why I
 7 initialed it. I initialed it. It was that type
 8 of option, you know. There are lines between
 9 this.
 10 Q. So your testimony is that you didn't understand
 11 that this was an estimate only?
 12 A. I understood that it was an estimate,
 13 according to what you showed me here, but I was
 14 thinking of the retirement allowance, but also,
 15 what option you take in case, you know, there is
 16 no benefit, there is no benefit. And that's the
 17 one that applied to me, and that's the way I
 18 signed it. So, I know it sounds confusing, but
 19 that's the way I processed it.
 20 MR. ROBINSON: I don't have
 21 anything else.
 22 HEARING OFFICER RUSBINO: No
 23 further questions?
 24 MR. MCKENNA: Just one second,
 25 please.

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1 HEARING OFFICER RUSBINO: No
 2 problem,
 3 Mr. McKenna, take your time.
 4 MR. MCKENNA: Show me where it says
 5 it's an estimate for retirement? I don't find
 6 it there.
 7 MR. ROBINSON: Read the form
 8 yourself.
 9 MR. MCKENNA: Show me where it says
 10 it. I don't see it.
 11 MR. ROBINSON: Right here.
 12 MR. MCKENNA: Above that?
 13 MR. ROBINSON: Yes.
 14 RE-EXAMINATION BY MR. MCKENNA:
 15 Q. Am I correct, Mr. Perfetto, that the
 16 certification that you signed is not about the
 17 estimate, is it? You didn't say anyplace on
 18 this document that you agreed with that
 19 statement?
 20 A. No. The way I processed it, I thought it
 21 was in regard to, you know, what option
 22 selection.
 23 Q. Let me read this to you. "Retirement Benefit
 24 Selection." Do you agree with that?
 25 A. Yes.

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1 you back in a position you would have been if
 2 you weren't misled?
 3 A. Yes.
 4 MR. ROBINSON: Objection.
 5 A. Most definitely.
 6 HEARING OFFICER RUSBINO: Well,
 7 it's sustained, considering the question
 8 includes the objection to which I had already
 9 sustained.
 10 Q. Are you asking this hearing officer to put you
 11 back in the position that you would have been
 12 had you not signed this document?
 13 A. Yes.
 14 MR. MCKENNA: Thank you.
 15 HEARING OFFICER RUSBINO: Do you
 16 have any further recross, Mr. Robinson?
 17 MR. ROBINSON: No, I'm done. Thank
 18 you.
 19 HEARING OFFICER RUSBINO: Okay, Mr.
 20 McKenna, do you have any further witnesses or
 21 documents that you wish to present?
 22 MR. MCKENNA: I think all the
 23 documents that are relevant my brother and I
 24 have submitted. I rest.
 25 HEARING OFFICER RUSBINO: And

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1 Q. It says, "Figures given below are estimates only
 2 prepared to assist you in selecting a payment
 3 option"?
 4 A. Yes.
 5 Q. You selected SRA option based on the number
 6 \$79,404.60; is that correct?
 7 A. Yes.
 8 Q. And if that was the payment, that was the option
 9 you would have taken, right?
 10 A. Yes.
 11 Q. You didn't take Option 2, you didn't take any
 12 other option, did you?
 13 A. No.
 14 Q. And so if this option was what Mr. Midgley
 15 finally came about when he used accrual
 16 accounting, you wouldn't have accepted that
 17 number, would you?
 18 A. No, not at all.
 19 Q. You wouldn't have signed this?
 20 A. No, I never would have signed it.
 21 Q. You were misled?
 22 MR. ROBINSON: Objection.
 23 HEARING OFFICER RUSBINO: Objection
 24 sustained.
 25 Q. Now, you're asking this hearing officer to put

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1 Mr. Robinson?
 2 MR. ROBINSON: I would like to
 3 present some very brief testimony from the
 4 Executive Director.
 5 Being duly sworn, deposes and
 6 testifies as follows:
 7 THE REPORTER: Would you state your
 8 name and spell your last name, please.
 9 THE WITNESS: Frank J. Karpinski.
 10 EXAMINATION BY MR. ROBINSON:
 11 Q. Mr. Karpinski, you're the Executive Director of
 12 the Retirement System, correct?
 13 A. Yes.
 14 Q. And you're familiar with this case, having
 15 reviewed the file and having sat through the
 16 testimony today?
 17 A. Yes.
 18 Q. I'm going to show you a copy of Respondent's D,
 19 which is an Option Selection Form. Can you
 20 explain the purpose of that form?
 21 A. The Option Selection Form is when the member
 22 retires, so we can verify which option they're
 23 looking for, and at the bottom there's a lot of
 24 certification that talks a bit to when the first
 25 check will arrive, that the first check is

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1 retroactive, that the option that you took to
 2 understand some of the benefits ceased upon
 3 death, if you will, and then it just adds an
 4 estimate of what the benefits are.
 5 MR. MCKENNA: Objection.
 6 HEARING OFFICER RUSBINO: The
 7 nature of the objection? The question was asked
 8 and answered.
 9 MR. MCKENNA: I don't think it does
 10 -- I think he's outside the scope of -- that
 11 exhibit's a full exhibit. He's testifying
 12 contrary to what the exhibit says, so I object.
 13 MR. ROBINSON: I don't understand
 14 your objection.
 15 HEARING OFFICER RUSBINO: Because
 16 there was no objection, and he was answering the
 17 question, I'm going to have to hear the question
 18 and answer again.
 19 (Questions and Answers Page 48, Lines 10-24
 20 Read).
 21 MR. MCKENNA: It doesn't do that.
 22 The estimate refers to the number that's given
 23 in order to select a form of retirement. Then
 24 what he's talking about is the additional things
 25 that were signed off on the bottom, and those

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1 aren't estimates. There's no estimates there.
 2 HEARING OFFICER RUSBINO: Well,
 3 first of all, the document is introduced as a
 4 full exhibit. Actually, that will give me an
 5 opportunity to clarify. Respondent's D, I
 6 believe, is marked for identification, but as
 7 Appellant's Exhibit, that's part of a full
 8 exhibit, so it's actually in, I believe.
 9 MR. ROBINSON: It's in full anyway.
 10 Respondent's C is for I.D. only.
 11 HEARING OFFICER RUSBINO: Oh, okay,
 12 Respondent's C is for I.D. It's also part of
 13 the Appellant's Exhibit, by the way. But, I
 14 believe, your objection is that the document is
 15 in evidence, so it speaks for itself?
 16 MR. MCKENNA: Yes.
 17 HEARING OFFICER RUSBINO: Okay.
 18 What is your response to his objection?
 19 MR. ROBINSON: I'd like the
 20 Executive Director to talk about the purpose of
 21 the form that's used by the system. It's very
 22 relevant.
 23 MR. MCKENNA: I object to that. He
 24 has an opinion contrary to what the plain
 25 meaning of the exhibit is in front of him.

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1 MR. ROBINSON: We can argue about
 2 that, but the decision that's under review was
 3 made by him. So it would make sense to hear
 4 from him as what the basis of his decision was.
 5 MR. MCKENNA: Well, his final
 6 statement is contrary to the exhibit. He can't
 7 change the exhibit, because he has a different
 8 opinion as to what they are.
 9 HEARING OFFICER RUSBINO: What I'm
 10 going to do is, I'm going to sustain Mr.
 11 McKenna's objection as to the -- in other words,
 12 having
 13 Mr. Karpinski go through the form that's already
 14 been introduced as a full exhibit, and more or
 15 less interpret it as the form. However, as you
 16 point out, Mr. Robinson, Mr. Karpinski issued
 17 the decision upon which this appeal is based. I
 18 think it's within your purview to ask him for
 19 the basis of his decision. And if that
 20 incorporates any of the documents that have been
 21 introduced, then I think he can certainly answer
 22 that question. So I'll sustain his objection
 23 based on the question that was asked and the
 24 testimony that was provided on that question,
 25 but I believe that you can certainly ask Mr.

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1 Karpinski the basis for his decision.
 2 Q. Mr. Karpinski, is that form signed by all
 3 applicants who retire?
 4 A. Yes.
 5 Q. And is it --
 6 MR. MCKENNA: Objection.
 7 HEARING OFFICER RUSBINO: What is
 8 the objection?
 9 MR. MCKENNA: He doesn't know how
 10 many applicants have retired. He hasn't
 11 reviewed all the applicants that have retired.
 12 He hasn't reviewed every one. There's
 13 approximately 15,000 state employees. He hasn't
 14 done that. And secondly, he hasn't been in the
 15 job long enough to review all the employees.
 16 Employees signing that document go back years,
 17 so he can't answer that. The foundation is not
 18 there. I object to that.
 19 HEARING OFFICER RUSBINO: Based on
 20 the foundation --
 21 MR. MCKENNA: Lack of foundation.
 22 HEARING OFFICER RUSBINO: And you
 23 want foundation as to his title, how long he's
 24 been in office, what his duties are?
 25 MR. MCKENNA: No, I don't need to

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1 know what his duties are, I need to know whether
 2 or not how many of these he's actually read? I
 3 don't think he's read all of them. And I don't
 4 think he's been employed long enough. He's a
 5 young man.
 6 HEARING OFFICER RUSBINO: What is
 7 the nature of your objection, foundation, or do
 8 you have a different objection?
 9 MR. MCKENNA: No foundation for the
 10 leading question, and there's no foundation for
 11 the leading questions. I let some things go,
 12 but this is outrageous.
 13 HEARING OFFICER RUSBINO: I'm going
 14 to sustain Mr. McKenna's objection. And if you
 15 could go through foundationally, Mr. Karpinski's
 16 duties, et cetera.
 17 Q. Mr. Karpinski, how long have you been the
 18 Executive Director of the Retirement System?
 19 A. Since 2001.
 20 Q. And prior to that, were you employed by the
 21 Retirement System?
 22 A. Yes, I was.
 23 Q. In what capacity?
 24 A. The director of finance.
 25 Q. What were your duties as Director of Finance?

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1 A. My duties as Director of Finance was
 2 preparation of the system's financial
 3 statements. I oversaw the financial operations.
 4 I oversaw the IT Department. And for a while, I
 5 oversaw the organizational structure at the time
 6 that the accounts were calculated for pension
 7 benefits.
 8 Q. How long did you hold that position?
 9 A. I was hired in 1984, and held that until
 10 2009.
 11 Q. And please tell us what your duties are as
 12 executive director?
 13 A. My duties as Executive Director is I oversee
 14 consistent with the statutes the operations with
 15 the --
 16 MR. MCKENNA: Objection. I object
 17 to leading question, and him saying that he's
 18 operating consistent with the statute. He's
 19 judging himself.
 20 HEARING OFFICER RUSBINO: Mr.
 21 McKenna, the previous objection was that there
 22 was insufficient foundation laid for what Mr.
 23 Karpinski's duties are, and that is what he's
 24 being asked now is what his duties are with the
 25 Employees' Retirement System. You can't have it

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1 both ways.
 2 MR. MCKENNA: Yes, I can.
 3 HEARING OFFICER RUSBINO: So I'm
 4 going to overrule your objection. You can
 5 certainly continue.
 6 MR. MCKENNA: Let me continue. I
 7 don't believe since he's become Executive
 8 Director that he's read, and even remembers any
 9 of the -- and he said he became executive
 10 director in 2001. How many people retired? How
 11 many of those he's actually reviewed? That's a
 12 narrow question.
 13 MR. ROBINSON: Wouldn't that be
 14 perfectly appropriate for cross-examination. I
 15 can't imagine how this is a sustainable
 16 objection. I can't imagine.
 17 MR. MCKENNA: You are letting in
 18 hearsay opinion without a foundation. You're
 19 building mush upon mush.
 20 HEARING OFFICER RUSBINO: He's
 21 being asked what his job duties are, job
 22 responsibilities are, and that's relevant to a
 23 foundation in order to ask other questions. So
 24 I'm overruling your objection. Did you place
 25 everything on the record that you wish to place

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1 on the record?
 2 MR. MCKENNA: I don't think that
 3 the question that I initially asked and I'm
 4 concerned about is whether or not factually he
 5 read those. I don't care about the rest of -- I
 6 don't care whether he flies like Superman. I
 7 want to know -- I asked him a very specific
 8 thing, I didn't open a door to put in an
 9 opinion.
 10 HEARING OFFICER RUSBINO: Well,
 11 you've rested your case, and now the Employees'
 12 Retirement System is putting on their case.
 13 MR. MCKENNA: Right, that doesn't
 14 mean the rules of evidence doesn't apply in
 15 their case.
 16 HEARING OFFICER RUSBINO: I know
 17 that's very true, but that's why I'm saying you
 18 had a right to state your objection, and I'm
 19 overruling your objection.
 20 MR. MCKENNA: Thank you.
 21 Q. In your capacity as Executive Director, are you
 22 familiar with the procedures by which someone
 23 would apply for retirement?
 24 A. Yes.
 25 Q. And in your capacity as Director of Finance,

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1 were you familiar with the procedures that
 2 members would utilize when they applied to
 3 retire?
 4 A. Yes.
 5 Q. And in connection with reviewing those
 6 procedures and your familiarity with those
 7 procedures, would someone be presented with an
 8 Option Selection Form similar to what has been
 9 marked as Respondent's D?
 10 MR. MCKENNA: Objection.
 11 HEARING OFFICER RUSBINO: Basis.
 12 MR. MCKENNA: Leading but beyond
 13 the scope of what I asked in the first place.
 14 MR. ROBINSON: That is absolutely
 15 not a leading question.
 16 MR. MCKENNA: That is absolutely a
 17 leading question in connection with what other
 18 people did. How does he know what the employees
 19 of that employment board are doing?
 20 MR. ROBINSON: He has already
 21 testified to his familiarity with the operations
 22 and procedure.
 23 MR. MCKENNA: I object to that word
 24 "familiarity." Because he sits in the same room
 25 and he's a got a stack of forms. Is he familiar

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1 with those? No, he's not. He has to pick them
 2 up, look at them and read them. And this in
 3 connection with his familiarity is leading words
 4 that are opening the door that he is not
 5 permitted to do.
 6 MR. ROBINSON: I vigorously and
 7 respectfully disagree.
 8 HEARING OFFICER RUSBINO:
 9 Overruled.
 10 Q. Do you recall the question, Mr. Karpinski?
 11 A. Yes. So it's a form that we will not
 12 process the pension until we have this
 13 particular document because we need to know what
 14 kind of benefit the member is selecting.
 15 MR. MCKENNA: Objection. He's
 16 talking personally, and he says it. He is not
 17 an it. He's talking about himself. It is a
 18 pronoun referring to thousands of people.
 19 HEARING OFFICER RUSBINO: He's
 20 talking about a procedure that in the course of
 21 his position with this organization, that is
 22 followed within this organization. He's talking
 23 about a procedure, a process. And Mr. Robinson
 24 has the right to ask him in the course of his
 25 position, what are his duties, what is he doing,

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1 what are the procedures he follows in his
 2 position as Executive Director of the Employees'
 3 Retirement System.
 4 MR. MCKENNA: I object to you
 5 sustaining that because that's not what he said,
 6 and that's why I'm so vigorously objecting to
 7 it. He is not the spokesman for every single
 8 employee in this place. He's speaking for
 9 himself as the Executive Director. He says
 10 "it." It is 120 people. He doesn't know what
 11 they did. That's maybe what the rules say, he
 12 can say that, but he can't say what an
 13 organization does. It's like if you were the
 14 general in the Army, you don't know who shot who
 15 because you weren't there. The policy is to
 16 shoot the enemy. He is saying he knows every
 17 little thing that happens in this department,
 18 and I say, and it's a leading question, and it's
 19 gone way beyond the scope of questions, way
 20 beyond the scope of evidence. And he's trying
 21 to say he knows everything, and everything I do
 22 is right. It's not true.
 23 HEARING OFFICER RUSBINO: To my
 24 knowledge, that has not been the testimony.
 25 That may be your interpretation of the

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1 testimony, but that's not the testimony that
 2 I've heard.
 3 MR. MCKENNA: Respectfully, I do
 4 not want him qualified as an expert on reading
 5 forms. I say he's not. And there's standards
 6 for experts. He hasn't even gotten near them.
 7 Just because he's in state government, doesn't
 8 mean he's an expert.
 9 HEARING OFFICER RUSBINO: To my
 10 knowledge, I don't believe you are trying to
 11 qualify
 12 Mr. Karpinski as an expert.
 13 MR. ROBINSON: Thoroughly innocuous
 14 line of questioning. This is perfectly
 15 appropriate what I'm attempting to ask him.
 16 MR. MCKENNA: I think it's
 17 perfectly inappropriate, respectfully.
 18 MR. ROBINSON: Then I request a
 19 ruling.
 20 HEARING OFFICER RUSBINO:
 21 Overruled. But I wanted Mr. McKenna to have the
 22 opportunity to state fully on the record the
 23 basis for his objection.
 24 MR. MCKENNA: Thank you.
 25 Q. Do you recall the question, Mr. Karpinski?

1 A. What the purpose of the form was.
 2 Q. Is this something that's utilized routinely by
 3 the retirement system in evaluating, in
 4 administering retirement applications?
 5 A. Yes.
 6 MR. MCKENNA: May I have a standing
 7 objection?
 8 HEARING OFFICER RUSBINO: Yes, you
 9 may.
 10 MR. MCKENNA: Thank you.
 11 Q. And has been it been so throughout the course of
 12 your tenure?
 13 A. Yes.
 14 Q. And do the forms include information regarding
 15 figures that someone may expect to receive
 16 regarding their retirement? Are they populated
 17 with estimates of numbers?
 18 A. They are.
 19 MR. MCKENNA: Objection to the form
 20 of the question. It's leading. He's asking to
 21 give an opinion answer, which he's not qualified
 22 to give. He hasn't seen it. It's a factual
 23 question. That is not what that form says.
 24 HEARING OFFICER RUSBINO: You have
 25 a standing objection, because you made a

1 off, and either the member hands it right back
 2 to the counsel when they're there, or in some
 3 cases they may take it back home and do whatever
 4 they need to do, and then it gets returned back
 5 to us by the fact that it's time stamped and the
 6 date that it is signed. It's the same date, so
 7 I don't know if it was handed back here, or if
 8 it was mailed back.
 9 Q. Where's the data come from?
 10 A. It is from our computer system based on the
 11 work that the counselor does when they compute
 12 the benefit.
 13 Q. And what kind of work is done typically by the
 14 counselor when they're analyzing benefits?
 15 A. The counselor goes through and reviews the
 16 service credits. The system generates some
 17 service credits, they go to verify those to
 18 ensure that it's based on the weight and the
 19 contributions that have come in. They'll look
 20 at that.
 21 They'll look at the final average
 22 salary. They will ensure and try to collect
 23 information for who the beneficiaries are.
 24 They'll have to collect tax information and how
 25 you want to file taxes, and what have you, and

1 specific objection. That's overruled.
 2 Q. Do you recall the question?
 3 A. The purpose of the letter or the form, yes.
 4 Again, there's a form. The form has just been
 5 generated. The counsel has had a program. The
 6 program has a series of work flows that they go
 7 through, and when they print out the documents
 8 for a member to come in, this is one that comes
 9 in. It is required by the potential retiree to
 10 check off the benefit type that they are looking
 11 for. They check off the certifications at the
 12 bottom, and the number in there is an estimate
 13 provided at the time the member is here.
 14 MR. MCKENNA: Move to strike. The
 15 number is not an estimate. He's misreading that
 16 form, and I am vigorously objecting to his
 17 changing of the form.
 18 HEARING OFFICER RUSBINO: Again,
 19 this is direct examination. I'm going to
 20 overrule your objection. You're also going to
 21 have the right to cross-examine Mr. Karpinski.
 22 MR. MCKENNA: Thank you.
 23 Q. What steps occur after the generation of this
 24 form in the retirement application process?
 25 A. It goes to the member so they can check it

1 they will put together that packet to provide
 2 the member. And then some forms must come back.
 3 One of them is going to be a termination from
 4 the employer on the date that they ceased
 5 employment, because you can't be active and
 6 receiving at the same time. This form has to
 7 come back, that they can verify what the benefit
 8 selection that they want to have.
 9 Once they have a termination from
 10 the employer and they have the Option Selection
 11 Form, and there's an application that they will
 12 go ahead and process the benefit and make final
 13 adjustments. In most cases, all the posted
 14 contributions aren't in yet.
 15 They take by statute what's
 16 required a month on the 15th, following the
 17 month, so any contributions that you make in --
 18 let's say in June, is required by July 15th, so
 19 if you came in in June, you wouldn't have June's
 20 contributions yet, so they wait for the final
 21 information to come through and verify all the
 22 information. And then once they have it,
 23 they'll do a final analysis and a final
 24 calculation.
 25 Once that's done, it then goes into

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1 an audit pool electronically, and they print a
 2 cover page just so that you can track it in two
 3 places. Then another counsel will go in and
 4 verify the information or verify any work that
 5 was done where there were calculations,
 6 birthdays, and that type of information. And if
 7 they approve it, two people agree on it, then it
 8 goes in electronically. It gets flagged, a
 9 pickup benefit. And then the next month after
 10 they do the work, if there are concerns, errors,
 11 what have you, it will get rejected. It will go
 12 back to the counsel, the two will meet.
 13 They'll discuss what, why and how,
 14 and then fix whatever they have to fix, and then
 15 it goes back into the same cycle again.
 16 Q. So is the data that is included on Respondent's
 17 Exhibit D, when it was populated at the time
 18 that Mr. Peretto met with the counselor, would
 19 it be subject to further review at the
 20 Retirement System?
 21 A. Yes.
 22 Q. How many layers of review is there after?
 23 A. The counsel will do it, and it'll be an
 24 audit.
 25 Q. And is that part of the process for each and

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1 every application for retirement?
 2 A. Yes.
 3 Q. And that audit process, what information are
 4 they looking to audit, what information are they
 5 looking to double-check?
 6 A. They're doing a second review of the
 7 account. If the counselor went through and
 8 tried to verify the service credit, the auditor
 9 will do the exact same without looking at
 10 documentation, they'll go back and redo it
 11 again. They'll look to see what happens. The
 12 system has some, the way it displays information
 13 is if somebody changed, if the contribution was
 14 changed they can see that that was changed like
 15 they can distinguish between the original and
 16 the change then they'll verify what the change.
 17 They'll look for the supporting documentation as
 18 to why there may have been any number of
 19 changes, whether it's service credit,
 20 contributions, salaries, what have you, and
 21 they'll basically redo the same level of
 22 analysis, and what they're trying to verify that
 23 it was done correctly, and then they will go
 24 back and verify if they see a difference,
 25 different reason. And it's just a second pair

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1 of eyes in the latter half of is the right date
 2 of birth in there, is the beneficiary's date of
 3 birth in there, is there a beneficiary, is there
 4 any kind of information that they will need to
 5 complete the entire application.
 6 MR. ROBINSON: May I see this,
 7 please.
 8 Q. And is it common that there would be changes
 9 made after an initial Option Selection Form is
 10 populated?
 11 MR. MCKENNA: Same objection.
 12 HEARING OFFICER RUSBINO:
 13 Overruled.
 14 Q. Changes to data that are included in the initial
 15 Option Selection Form?
 16 A. Yeah, it's common.
 17 Q. I'm going to show you what was marked as
 18 Respondent's Exhibit D for identification, and
 19 ask you if you can identify that form for the
 20 Hearing Officer?
 21 A. That is an estimate of benefits for Schedule
 22 A, and there are 32 benefits structures, as we
 23 look at it today, so we break it down by the
 24 type of schedule you have, and the schedule
 25 defines when you were a member.

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1 Q. Have you had an opportunity to see that specific
 2 form?
 3 A. Yes.
 4 Q. And in connection with your preparation for this
 5 hearing and with the underlying administrative
 6 decision that you rendered in this case, did you
 7 have an opportunity to review Mr. Peretto's
 8 retirement file?
 9 A. Yes.
 10 Q. And was this document included in the materials
 11 you reviewed?
 12 A. Yes.
 13 Q. And can you describe to the Hearing Officer how
 14 the retirement files were maintained.
 15 A. The retirement files are maintained
 16 electronically. So if any paper document,
 17 anything that's signed that has to come back as
 18 imaged, the estimate form itself, the numbers
 19 are maintained in the database. So this
 20 document, if we printed it out because we need
 21 it for a situation like this, it may be inside
 22 there, but the numbers are recorded in the
 23 system itself. And if you ask to print it out,
 24 it prints it out on a form like this.
 25 Q. And I'd like you to look at the bottom of the

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1 page. It indicates the document was generated
 2 on what date?
 3 A. 12/13/2013.
 4 Q. Okay. Based on your review of Mr. Perfetto's
 5 file, do you think that's accurate?
 6 A. This would have been after his date of
 7 retirement.
 8 Q. Is the form itself one that would be completed
 9 by or provided to a member in connection with
 10 their retirement application?
 11 A. Yes.
 12 Q. And is that done for each and every member of
 13 the system?
 14 A. Yes.
 15 Q. Is it done repeatedly as part of the retirement
 16 application process?
 17 A. Yes.
 18 Q. And have you reviewed this particular document
 19 and are familiar with the data that's included
 20 based on your review of Mr. Perfetto's file?
 21 A. Yes.
 22 MR. MCKENNA: Same objection.
 23 Q. Is the information that was included in there,
 24 in your opinion, accurate?
 25 A. Yes.

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1 Q. Okay. Did that Consent Order impact your
 2 assessment of Mr. Perfetto's entitlement to a
 3 particular retirement benefit?
 4 A. Yes.
 5 Q. In what manner?
 6 A. The Consent Order put the salary that was
 7 earned. It was paid in a year different than
 8 when it was earned, and statute says earned and
 9 paid, and we processed that based on what the
 10 statute says earned and paid. So you may be
 11 paid an amount at any give time, but the counsel
 12 and staff, as well our computer program, will
 13 always go back and say what does it apply to.
 14 We make the employers go back and post that
 15 information back to the same period. So if you
 16 got in 2014, but you got paid for 1990, they'd
 17 have to go back and physically post those
 18 records to the exact pay periods. Some
 19 employers are very good at doing that, they
 20 actually do it for us. Other times, we have to
 21 get information back depending on what the
 22 subject matter is.
 23 It could be a legal issue which is
 24 an arbitration. We won't get it that way, but
 25 we're going to say but for what period does it

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1 Q. Are you aware of the fact that following
 2 Mr. Perfetto's having been provided this
 3 document, the retirement system provided him a
 4 letter indicating that the initial calculation
 5 was incorrect?
 6 A. Yes.
 7 Q. And what's your understanding of that issue?
 8 MR. MCKENNA: Objection. Statute.
 9 He's giving an opinion on statutes.
 10 MR. ROBINSON: It's his decision.
 11 HEARING OFFICER RUSBINO: I'll
 12 sustain the objection in that when you say what
 13 is your understanding, I would ask him something
 14 that's less vague or broad than what's your
 15 understanding.
 16 Q. How was the issue brought to your attention?
 17 A. I believe Mr. Perfetto contacted Mr.
 18 Midgley, and I believe Mr. Midgley had gone
 19 through the account and recognized that there
 20 was an error in what was used for the final
 21 average salary.
 22 Q. And were you provided, at some point, with a
 23 copy of the Consent Order that we've looked at
 24 here today?
 25 A. Yes.

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1 represent. And the counsel will then go back
 2 and then take it apart and put it back to where
 3 it was, what pay periods it belonged to. But
 4 any type of a retroactive change, more so at the
 5 state level, because I think there's a more
 6 sophisticated computer system will get
 7 transactions that are literally by, you know, if
 8 it represents 26 pay periods, there are 26
 9 transactions that get posted right back to the
 10 exact date. So, if you were to look in our
 11 system, you might see \$1,000. And if, let's
 12 say, the person was supposed to get 1,100,
 13 you'll see \$100 transaction coming through. And
 14 then the counsel will say, oh, so the salary
 15 earned is a thousand not one thousand.
 16 Q. I'm going to show what's been marked as
 17 Appellant's Exhibit 5 full. I'd like you to
 18 look at that letter from Mr. Midgley. Keep
 19 Respondent's C for I.D. open in front of you.
 20 Take a look at Appellant's 5 and the appended
 21 document?
 22 HEARING OFFICER RUSBINO: Is this
 23 the document for the letter dated October 2013?
 24 MR. ROBINSON: Yes, with the
 25 attachment.

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1 A. Okay.
 2 Q. Have you had an opportunity to review both of
 3 those forms in connection with your testimony
 4 today or in preparation thereto?
 5 A. Yes.
 6 Q. And is there a difference between the pension
 7 record appended to the October 2nd, 2013, letter
 8 from Mr. Perfetto, and the Estimate of Benefits
 9 form that's been marked as Respondent's C for
 10 I.D.?
 11 A. Yes.
 12 Q. And what's the difference?
 13 A. The difference is the wages used in
 14 calculating the average compensation.
 15 Q. And is there a specific year where there's a
 16 difference?
 17 A. The variance occurs, or begins to occur in
 18 2011. Respondent's C shows \$106,387.33.
 19 Appellant's 5 shows \$103,708.81 for 2010.
 20 Respondent's C shows \$89,282.30, and for
 21 Appellant's 5, it shows \$35,698.80.
 22 Q. And what decisions had the Retirement Board made
 23 in 2013 that resulted in the change in the
 24 benefits calculation form?
 25 MR. MCKENNA: Objection. Hearsay.

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1 HEARING OFFICER RUSBINO:
 2 Overruled.
 3 A. They would have had this \$55,000
 4 retro-payment, and they then took it out of
 5 where it was posted and put it back into the
 6 periods for which it belonged. So the
 7 documentation from, I believe the court
 8 document, said the pay periods. You know, it
 9 was from this day to this day. So they took
 10 that 55,000 and put it back to where it
 11 belonged, and then recalculated the final
 12 average salary.
 13 Q. Was it predicated based upon when the monies
 14 were earned, or when the monies were received by
 15 Mr. Perfetto?
 16 A. The statute says earned and paid, so it had
 17 to be earned in that year.
 18 Q. And based on your interpretation of the statute,
 19 is that what informed your administrative
 20 decision in this case?
 21 A. Yes.
 22 Q. Does the staff receive any training in that
 23 regard?
 24 A. Yes.
 25 Q. How frequently?

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1 A. When they first hire they spend six to eight
 2 months working with one of the senior staff on
 3 performance benefit estimates, and then they
 4 gradually let them do their own, but they tend
 5 to give them the more, the simpler ones. Some
 6 of them has no missing time, just so they can
 7 get the comfort level of doing so, and then they
 8 kind of graduate them up to more complicated
 9 ones that might have very intensive issues.
 10 They'll cross-train on doing a teacher benefit,
 11 a municipal benefit, or correctional officer,
 12 and they'll go through that. And the
 13 counseling, there is an operations manager at
 14 that department who works with them and will
 15 kind of periodically more out of the audit, some
 16 of which will grant some, even though they've
 17 been audited once already, or twice, just to
 18 ensure that, and they go through a routine of
 19 verifying any changes to the statutes. They'll
 20 get training on that.
 21 Q. Is the correlation or the application of
 22 compensation to a particular period or time of
 23 service rendered something that's part of the
 24 training?
 25 MR. MCKENNA: Objection.

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1 A. Absolutely.
 2 HEARING OFFICER RUSBINO: Basis.
 3 MR. MCKENNA: Not in the statute.
 4 The statutory creature, he's giving testimony
 5 led by his counsel that's outside the scope of
 6 the statute, it's outside of the scope of the
 7 exhibits.
 8 HEARING OFFICER RUSBINO: Read the
 9 question back to me, please.
 10 (Question on Page 73, Line 3 read)
 11 HEARING OFFICER RUSBINO: If you
 12 could rephrase it, so I'm going to sustain the
 13 objection.
 14 Q. Is the application or correlation of
 15 compensation earned by a particular member as
 16 applied to a particular period of work service,
 17 something that the staff receives training in?
 18 MR. MCKENNA: Objection.
 19 A. Yes.
 20 HEARING OFFICER RUSBINO: The
 21 nature of the objection?
 22 MR. MCKENNA: Everything is defined
 23 in statute. He has no idea what the people
 24 actually do. He may have an idea of what they
 25 want them to do, but what they actually do --

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1 and he's asking him to give evidentiary
 2 testimony with no foundation, with leading
 3 questions, which are way beyond the scope of his
 4 job.
 5 HEARING OFFICER RUSBINO: I do
 6 believe that he can certainly testify, since
 7 he's the Executive Director of the Employees'
 8 Retirement System. I think he has knowledge of
 9 whatever training is provided to particular
 10 staff members. I would say that he wouldn't
 11 necessarily be able to testify that every single
 12 staff member necessarily is following the
 13 training, which I think is what your concern is,
 14 and I wouldn't go that extra step. All he's
 15 doing is saying is there training provided.
 16 Q. And the question is do they receive training in
 17 that regard?
 18 A. Yes, they do.
 19 Q. Is that part of their training to deal with the
 20 application of specific compensation earned to a
 21 particular period of service rendered?
 22 A. Yes, it is.
 23 Q. And has that interpretation been consistent
 24 across the Retirement System throughout your
 25 tenure?

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1 consistently forever. And, so, asking the
 2 Executive Director if that's the case is
 3 perfectly appropriate as part of the basis of
 4 the decision that he rendered in this case.
 5 Wouldn't it make sense to find out whether or
 6 not some totally contrary interpretation was
 7 applied for the last 15 years, and then with Mr.
 8 Perfetto, the Retirement System unilaterally and
 9 arbitrarily decided to do it differently.
 10 That's not the answer, but I'm entitled to ask
 11 that question.
 12 HEARING OFFICER RUSBINO: Right.
 13 What I'm going to do is, I'm going to sustain
 14 Mr. McKenna's objection. If you can rephrase
 15 the question to accomplish the goal that you've
 16 eloquently stated.
 17 Q. Mr. Karpinski, you've already testified that the
 18 staff is specifically trained with regard to
 19 applying compensation to time periods in which
 20 the monies are in fact actually earned, correct,
 21 you've already testified about that?
 22 A. Yes.
 23 Q. And has that interpretation been applied
 24 consistently throughout the course of your
 25 tenure?

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1 MR. MCKENNA: Objection.
 2 HEARING OFFICER RUSBINO:
 3 Sustained.
 4 Q. Is that a formal part of the administration of
 5 the system?
 6 MR. MCKENNA: Objection. No
 7 foundation for these questions.
 8 MR. ROBINSON: He's building a
 9 foundation.
 10 MR. MCKENNA: He's building the
 11 foundation on pure speculation, not evidence.
 12 HEARING OFFICER RUSBINO: Well, Mr.
 13 Robinson asked whether the employees are trained
 14 in that particular issue. I think that
 15 question's been asked and answered.
 16 Q. And then I've asked if it was interpreted
 17 consistently throughout the course of the 20
 18 years he's been involved in the Retirement
 19 System?
 20 MR. MCKENNA: Are you asking
 21 whether every person who's worked has followed
 22 the training?
 23 MR. ROBINSON: Respectfully, this
 24 is a very common interpretation of the statute
 25 that has been applied by the Retirement System

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1 A. Yes.
 2 MR. MCKENNA: Objection. I move to
 3 strike.
 4 HEARING OFFICER RUSBINO: Basis.
 5 MR. MCKENNA: No evidence. He's
 6 guessing. He's guessing. He is not God. He
 7 doesn't see what everybody's doing. He can hope
 8 that they do those things, he can wish that they
 9 do those things. He can send out orders that
 10 they do these things, but he doesn't know.
 11 MR. ROBINSON: The fact that the
 12 executive director is testifying is evidence.
 13 MR. MCKENNA: He's not God. Not
 14 like the King of England, he comes down and I
 15 give a proclamation and it must be true because
 16 it came from the king. He's fallible, just like
 17 everybody else.
 18 HEARING OFFICER RUSBINO: I'm going
 19 to sustain your objection. The question, too,
 20 I'm going to sustain it as to the form of the
 21 question. If you ask the question to his
 22 knowledge, because he is entitled to testify to
 23 his knowledge from what he knows in exercising
 24 his duties in his position as Executive
 25 Director.

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1 Q. Mr. Karpinski, you've been Executive Director
 2 since 2001, correct?
 3 A. That's correct.
 4 Q. And then you were employed as the Director of
 5 Finance for years prior to that, correct?
 6 A. That's correct.
 7 Q. And in your capacity as Director of Finance you
 8 were familiar, or not, with the procedures by
 9 which one would apply to retire?
 10 MR. MCKENNA: Objection.
 11 HEARING OFFICER RUSBINO:
 12 Overruled.
 13 Q. And you had already testified, have you not,
 14 that the retirement system and your
 15 interpretation of the statute is that
 16 compensation must be correlated with the period
 17 of work where it was earned?
 18 MR. MCKENNA: I have a massive
 19 objection to that. That's an expert opinion,
 20 number 1. Number 2, it's a factual thing, which
 21 I say is absolutely wrong even based on his
 22 initial testimony. His initial testimony said
 23 he didn't see this thing until there was an
 24 objection.
 25 HEARING OFFICER RUSBINO: Mr.

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1 Karpinski has already testified, and you have
 2 had a standing objection, and I have already
 3 overruled it. So you may continue.
 4 Q. And you've already testified to that, correct?
 5 A. Yes.
 6 Q. And you've already testified that staff are
 7 trained in that regard?
 8 A. Yes.
 9 Q. And my question to you is to your knowledge has
 10 that interpretation been applied consistently
 11 since you have been Executive Director?
 12 A. It is applied consistently. There's also,
 13 there are codes programmed into our retirement
 14 program when adjustments are made so the
 15 employer knows to segregate them. They're not a
 16 regular wage and contribution, they are an
 17 adjustment, so yes.
 18 MR. MCKENNA: Objection.
 19 HEARING OFFICER RUSBINO:
 20 Overruled.
 21 Q. Would a member's application be flagged by your
 22 system if monies were attempted to be applied to
 23 a period of time not consistent with when they
 24 were earned?
 25 A. If the employer does not, they're able to

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1 put it in a lump sum, but it will -- if it's not
 2 provided to what's broken out, they can be
 3 posted as lump sum. The system will accumulate
 4 whatever it sees, if you will, go through a
 5 process. If the accounts aren't audited prior
 6 to doing the benefit estimate, it will take
 7 whatever it sees. That's the purpose of the
 8 audit, and for the staff to go through. And if
 9 it is broken down by a pay period, they'll know
 10 that because it will be identified.
 11 So when they go back and look at
 12 the pay periods, they'll see two transactions
 13 for a pay period. They'll know one of them was
 14 the original transaction that was posted, it
 15 will show the day it was posted, and then it
 16 will show the adjustment beneath that, and it
 17 will have the date that happened, and they'll
 18 know the differentiation is there. If it comes
 19 at lump sum, they'll need to get information and
 20 say, well, what is this for. They'll get
 21 documentation from the employer identifying what
 22 it is, and then they'll go back and manually do
 23 that same process. They'll take it, and they'll
 24 know that it represents these pay periods. If
 25 they're for longer pay periods, they need to

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1 know if somebody had a retro adjustment, and in
 2 the meantime there was a raise granted. So you
 3 can't just take an amount and divide by the pay
 4 periods. You have to go back and say, okay,
 5 they had this amount and it was at this dollar
 6 amount, and they had a higher amount after that,
 7 and they obviously had to reconcile. So they'll
 8 post it exactly the way it should have happened.
 9 Q. Did you know what happened in this case?
 10 A. I believe Mr. Midgley overlooked it. He
 11 just did the estimate, but did not reconcile the
 12 account.
 13 Q. And is that something that you would have
 14 expected to have been caught during the audit
 15 that you testified earlier?
 16 A. Yes.
 17 Q. And was it in fact caught during that audit?
 18 A. Yes.
 19 Q. And the error was corrected?
 20 A. Yes.
 21 Q. I'm showing you what's been marked as
 22 Respondent's F full -- I'm sorry. I would move
 23 respondent's C as a full exhibit.
 24 MR. MCKENNA: I thought we already
 25 had this in as a full exhibit?

1 MR. ROBINSON: This is the exhibit
 2 I showed to Mr. Perfetto. Mr. Karpinski
 3 testified that it was from his file.
 4 MR. MCKENNA: So the date on the
 5 bottom he had 12/13/2013?
 6 MR. ROBINSON: I'll ask him that
 7 just to clarify.
 8 Q. Mr. Karpinski, Respondent's C for I.D., you have
 9 already testified that the information included
 10 in there included the backpay award as part of
 11 the calculation of Mr. Perfetto's benefits?
 12 A. That's correct.
 13 Q. Okay. And that was later corrected when Mr.
 14 Midgley sent his letter of October 2nd of 2013,
 15 with the pension record form; is that correct?
 16 A. Correct.
 17 Q. If Mr. Perfetto applied to retire in July of
 18 2013, and in fact retired in August of 2013, do
 19 you know why that form indicates at the bottom
 20 that it was generated in December of 2013?
 21 A. It was reprinted. It just means that it was
 22 -- every form that we have has a generation date
 23 so we can keep track of when documents -- if a
 24 member returns a copy to us so we can at least
 25 know when they got it. And what's next to it is

1 estimate. So is that objectionable?
 2 MR. MCKENNA: I understand that.
 3 He wasn't there. He doesn't know stuff. He
 4 wasn't there.
 5 MR. ROBINSON: I can't for the life
 6 of me understand why that would be
 7 objectionable.
 8 MR. MCKENNA: It's objectionable.
 9 I don't want him testifying to -- he's not your
 10 witness, he's himself.
 11 MR. ROBINSON: Okay. I didn't
 12 realize there was a dispute about the fact that
 13 the Retirement System initially told Mr.
 14 Perfetto that they include that money in his
 15 pension.
 16 MR. MCKENNA: No, there's no
 17 dispute there. The Retirement System, just to
 18 make my point specific, what he said today, he
 19 said everything's an estimate.
 20 MR. ROBINSON: No, he did not.
 21 MR. MCKENNA: That's what he said.
 22 MR. ROBINSON: That's not what he
 23 said. We asked about when that form was
 24 generated, and whether that form was provided to
 25 Mr. Perfetto during the course of his retirement

1 an estimate number. And the estimate number has
 2 every estimate that we do, you could do hundreds
 3 of them.
 4 Q. So the date of generation, it's not what
 5 determines when in the chronology the form was
 6 actually populated; is that fair?
 7 A. Correct. It's no more than the date that it
 8 was printed.
 9 Q. Okay, so you've testified this is a reprint?
 10 A. Yes.
 11 Q. And the actual data that's in there, would that
 12 have been given to Mr. Perfetto during his
 13 discussions with Mr. Midgley?
 14 MR. MCKENNA: Objection.
 15 MR. ROBINSON: Why?
 16 MR. MCKENNA: He wasn't there.
 17 He's already testified he wasn't there. This is
 18 gross hearsay.
 19 MR. ROBINSON: I don't understand
 20 why that's even a problem.
 21 MR. MCKENNA: He's saying yes to
 22 any question you ask him.
 23 MR. ROBINSON: Why are we fighting
 24 about this, for goodness sake? All this says is
 25 that they included the 55,000 in his initial

1 application. That's all we were asking.
 2 MR. MCKENNA: It was done after his
 3 retirement went in, based on the different
 4 number.
 5 HEARING OFFICER RUSBINO: I believe
 6 the question that's pending is at the time that
 7 he was sitting with the retirement counsel, was
 8 that lump sum included in what was represented
 9 to him, and I believe his answer is yes.
 10 MR. MCKENNA: Right. My client
 11 testified it wasn't. He wasn't there, and he is
 12 lying right now.
 13 HEARING OFFICER RUSBINO: Your
 14 client testified, in other words, the 55,000
 15 dollars was included in coming up with the
 16 pension amount.
 17 MR. ROBINSON: That's all this form
 18 shows.
 19 HEARING OFFICER RUSBINO: At the
 20 time that you met with Mr. Midgley.
 21 THE WITNESS: When I met with Mr.
 22 Midgley, those were the figures that I had in my
 23 head.
 24 MR. ROBINSON: Right. So, why are
 25 we arguing about this?

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1 THE WITNESS: I didn't go
 2 specifically and break it down. There's no
 3 breakdown on that. That thing is so vague. Let
 4 me tell you, that thing will throw anybody off.
 5 I'm very upset. I'm very upset. Laugh about
 6 it. You think it's funny to get trapped like
 7 that.
 8 HEARING OFFICER RUSBINO: All
 9 right. I want this stopped now, now. We are
 10 here in a legal proceeding. We are not going to
 11 sit here and be reduced to a shouting match. I
 12 understand this is very emotional. I understand
 13 that. But none of that is going to help me as
 14 the person trying to be the factfinder or the
 15 person making the legal decision to come up with
 16 an informed decision. I understand it's very
 17 upsetting.
 18 MR. ROBINSON: I move the admission
 19 of this document as a full exhibit. It's been
 20 fully vetted at this point.
 21 HEARING OFFICER RUSBINO: Which
 22 document are we referring to?
 23 MR. ROBINSON: Respondent's C for
 24 I.D.
 25 I would agree with my brother that

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1 it's been fully vetted. On that basis, I would
 2 agree with my brother.
 3 HEARING OFFICER RUSBINO: This is
 4 what I was trying to explain before. If I can
 5 have Appellants exhibits, I would like appellant
 6 exhibits. That's a different one. Okay, that's
 7 fine. Thank you. I thought we actually had it,
 8 but we do not. All right, so are you moving to
 9 have this introduced as a full exhibit?
 10 MR. ROBINSON: I am.
 11 MR. MCKENNA: No objection. I
 12 agree with my brother it's been fully vetted.
 13 HEARING OFFICER RUSBINO: No
 14 objection from counsel for the Appellant. And
 15 we will move that Respondent's C for
 16 identification be admitted as a full exhibit.
 17 MR. ROBINSON: I just need them
 18 back for a very brief minute.
 19 HEARING OFFICER RUSBINO: For the
 20 record, Respondent's C which was previously
 21 marked for identification will now be introduced
 22 rather and be admitted as a full exhibit. And
 23 Respondent's C full is a photocopy of, I believe
 24 it's a two-page document entitled ERSRI Ordinary
 25 Service Estimate of Benefit Schedule A, and I

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1 believe the date is December 13, 2013.
 2 Q. I'm showing you what's been marked as
 3 Respondent's F full, and ask you if you can
 4 identify that?
 5 A. That is the official that I drafted.
 6 Q. Does that document fairly encapsulate the basis
 7 for your decision in this case?
 8 A. Yes, it does.
 9 MR. ROBINSON: Okay, I have nothing
 10 else.
 11 HEARING OFFICER RUSBINO: Mr.
 12 McKenna, do you have cross-examination?
 13 MR. MCKENNA: Yes.
 14 HEARING OFFICER RUSBINO: All
 15 right. Would it be possible just prior to
 16 commencing, I'd just like to take a quick
 17 five-minute break?
 18 MR. MCKENNA: Okay.
 19 HEARING OFFICER RUSBINO: Okay.
 20 We're going to go off the record just briefly to
 21 take a break.
 22 (OFF THE RECORD)
 23 (SHORT RECESS)
 24 HEARING OFFICER RUSBINO: So we are
 25 back on the hearing with Robert J. Perfetto

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1 versus the Employees' Retirement System. I
 2 believe that
 3 Mr. Robinson, attorney for the Employees'
 4 Retirement System, has completed his direct
 5 examination of his witness, Mr. Karpinski,
 6 Executive Director of the Employees' Retirement
 7 System. And, Mr. McKenna, counsel for the
 8 appellant, do you wish to commence
 9 cross-examination on Mr. Karpinski?
 10 MR. MCKENNA: Yes.
 11 HEARING OFFICER RUSBINO: You may
 12 proceed.
 13 EXAMINATION BY MR. MCKENNA:
 14 Q. Are you familiar with the accounting standards?
 15 A. Yes.
 16 Q. Are you an accountant?
 17 A. I'm not certified.
 18 Q. Do you know the difference between accrual
 19 accounting and a cash base accounting?
 20 A. I prepared the financial statements, so yes.
 21 Q. The State of Rhode Island is on a cash basis,
 22 correct?
 23 A. I don't know what State of Rhode Island
 24 does, but we will report financial statements on
 25 an accrual basis, and my notes actually reflect

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1 that.
 2 Q. And you say you don't know what the State of
 3 Rhode Island -- you're not part of the State of
 4 Rhode Island?
 5 A. We are a separate entity. We are under the
 6 Treasurer's Office.
 7 Q. Where does it say in the statute that you are an
 8 accrual based accounting?
 9 A. It's on the government accounting standards.
 10 It's 25 and 27. This will be superceded by 67,
 11 68.
 12 Q. Let's back up. Are you talking about generally
 13 accepted accounting standards, or are you
 14 talking about the statutes?
 15 A. It's generally accepted for the accounting
 16 principles.
 17 Q. All right. Are you saying the treasurer of the
 18 State of Rhode Island reports, does not report
 19 on a cash basis?
 20 A. The financial statements reported by the
 21 Retirement System that are audited by the
 22 auditor general as required by statute are
 23 reported on an accrual basis. Footnotes
 24 disclose that.
 25 Q. And where do you get that authority?

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1 A. I don't believe that's what you asked me.
 2 Q. Well, that's what you said. Let me ask it this
 3 way. An accrual based accounting is not set
 4 forth in the statute of the employment system,
 5 correct, or right, am I wrong or right?
 6 A. I don't believe it's listed anywhere within
 7 the statute.
 8 Q. Thank you. You can't deduct something from
 9 wages for the cost of retirement unless it's
 10 received, correct?
 11 A. I'm not sure of your question.
 12 Q. Oh, please. When does the employee pay his
 13 match for retirement?
 14 A. I'm not sure what you mean by match.
 15 Q. Doesn't every state employee have to pay part of
 16 his retirement, he has to make his contribution,
 17 right?
 18 A. Yes.
 19 Q. When he made that contribution, is when he
 20 receives his money, right?
 21 A. It's made on a payroll frequency.
 22 Q. That wasn't my question. If he didn't receive
 23 the money, whether it was on a payroll, a bonus,
 24 or whatever, you couldn't deduct it, you
 25 couldn't receive it?

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1 A. From the governmental accounting standards.
 2 There's no statutory --
 3 Q. That's right, there's no statutory --
 4 A. Not that I know of, at least.
 5 Q. Right. And the term "compensation" shall mean
 6 salary or wages earned and paid is a cash basis
 7 term, correct.
 8 A. That's your opinion.
 9 Q. Is that your opinion? Do you think you're above
 10 the statute?
 11 A. I didn't say that, you did.
 12 Q. Well, I'm asking you?
 13 A. What's your question?
 14 Q. The term "compensation" shall mean salary or
 15 wages earned and paid for the performance of
 16 duties for covered employment?
 17 A. It means salaries that you would have earned
 18 and got paid to things for the performance of
 19 duties.
 20 Q. Right. And then their compensation, right,
 21 that's not on an accrual -- you can have
 22 somebody who's employed and not paid, right?
 23 A. That would be by volunteering.
 24 Q. You think people who are entitled to be paid
 25 before they get paid are volunteering?

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1 A. If they're not paid, we don't receive the
 2 contribution, that's correct.
 3 Q. So do you think that the Employment Retirement
 4 System of Rhode Island is exempt from the laws
 5 of the State of Rhode Island?
 6 A. Not at all.
 7 Q. You are familiar that there are certain people
 8 who are veterans, and others who can stay
 9 employed after they have worked 20 years, right?
 10 If fact, some have been repealed, right?
 11 A. Say that again?
 12 Q. Are you familiar with the 20-year statutes,
 13 plus, that say you're a veteran, or you've been
 14 employed for so many years, you have permanent
 15 employment. You can't be retired unless you
 16 willfully do it?
 17 A. I don't know if that is a statute.
 18 Q. You don't. Do you know what his statute was for
 19 the reasons he wasn't paid? Do you know what
 20 statute that was?
 21 A. I don't know what -- I'm not sure what
 22 you're asking me.
 23 Q. Do you agree upon the State of Rhode Island?
 24 A. Yes.
 25 Q. If the State of Rhode Island tells an employee

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1 that if he works so many years he can't be
 2 terminated, and that's in the same chapter that
 3 you're --
 4 MR. ROBINSON: I'm going to object.
 5 Relevance.
 6 HEARING OFFICER RUSBINO: Well,
 7 what is his knowledge of whether someone can be
 8 terminated from their employment --
 9 MR. MCKENNA: Which has to do with
 10 his earlier testimony where he was saying he was
 11 interpreting this consistent with state law.
 12 HEARING OFFICER RUSBINO: The state
 13 was interpreting, in his earlier testimony
 14 interpreting what?
 15 MR. MCKENNA: The decision, he said
 16 he read the decision. Do you want me to read it
 17 back into the record? I mean, it's a full
 18 exhibit.
 19 HEARING OFFICER RUSBINO: Are you
 20 talking about his denial letter?
 21 MR. MCKENNA: No, I'm talking about
 22 the Consent Order which is the law of this case.
 23 HEARING OFFICER RUSBINO: To which
 24 exhibit are you referring just so we have it on
 25 the record? That's all, Mr. McKenna.

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1 MR. MCKENNA: I don't remember the
 2 exhibit, and I'm distracted by your question. I
 3 think it was A, B, C, D. I don't remember.
 4 HEARING OFFICER RUSBINO: You're
 5 talking about the Consent Order?
 6 MR. MCKENNA: Yeah. He said he had
 7 it and read it.
 8 HEARING OFFICER RUSBINO: I don't
 9 know the exhibit.
 10 MR. MCKENNA: I'll tell you in one
 11 second. All right, 7 is the Consent Order which
 12 I will argue at a later date that is controlling
 13 in this case.
 14 HEARING OFFICER RUSBINO: And
 15 that's Appellant's ??
 16 MR. MCKENNA: Yes.
 17 HEARING OFFICER RUSBINO: Thank
 18 you.
 19 MR. MCKENNA: He admitted he read
 20 it as an exhibit, and I asked him whether he
 21 knew the basis for the 55,775 dollar payment.
 22 And he said he understand it, and he took it
 23 into consideration when he made his decision.
 24 HEARING OFFICER RUSBINO: You mean
 25 according to the Consent Order?

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1 MR. MCKENNA: Right, but he's now
 2 telling me he doesn't understand why it
 3 occurred, so I want to explore that.
 4 MR. ROBINSON: That's not his
 5 testimony.
 6 MR. MCKENNA: We'll find out.
 7 Q. Did you read the Consent Order?
 8 A. I did.
 9 Q. Did you know the reason for it?
 10 A. My read of that is that there was some time
 11 where was he was aggrieved, and he was
 12 successful in this case, and received payment
 13 for time that he shouldn't have been laid off.
 14 Q. Why do you think he should have been laid off?
 15 A. I have no idea.
 16 MR. ROBINSON: Objection.
 17 HEARING OFFICER RUSBINO: How is
 18 that important?
 19 MR. MCKENNA: It's very important
 20 that the state tells the employee he should be
 21 employed, and he'll get all of his benefits.
 22 One of his benefits is employment.
 23 HEARING OFFICER RUSBINO: It's not
 24 relevant to what I'm deciding why Mr. Perfetto
 25 was -- the Consent Order sets forth certain

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1 information that forms the basis of that order.
 2 MR. MCKENNA: Law and judgment.
 3 HEARING OFFICER RUSBINO: But
 4 you're asking him why something is stated on the
 5 Consent Order the way it is.
 6 MR. MCKENNA: This is why I
 7 objected so viciously to his leading questions,
 8 because I don't think this guy knows what he is
 9 talking about, so I'm going to show it right
 10 now.
 11 HEARING OFFICER RUSBINO: Well, I
 12 think your objections were vigorous, not
 13 vicious.
 14 MR. MCKENNA: Well, I guess. I'm
 15 sorry.
 16 HEARING OFFICER RUSBINO: I just
 17 thought I'd clarify that.
 18 Q. When an employee is working he's entitled to
 19 retirement benefits, correct?
 20 A. Depends on the type of employment, yes.
 21 Q. Is there any employment, regular employment,
 22 weekly employment in the state government that
 23 doesn't get retirement?
 24 A. Yes, somebody who works less than 20 hours a
 25 week.

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1 Q. You don't think that my client was in jobs that
 2 worked less than 20 hours a week?
 3 A. If he was, he wouldn't have had
 4 contributions for those pay periods.
 5 Q. And his contributions included part of that
 6 \$55,000, correct?
 7 A. There was a contribution for 55, based on a
 8 salary of \$55,000.
 9 Q. You agree with me that the employment system is
 10 you believe to the Rhode Island state law?
 11 MR. ROBINSON: Objection. Asked
 12 and answered.
 13 Q. Yes or no?
 14 HEARING OFFICER RUSBINO: If he
 15 knows he can answer.
 16 A. The employees Retirement System is under
 17 Title 368 through 10, 1616 4521, 28 for judges,
 18 42 for state police, and Title 816 for other
 19 Superior Court judges.
 20 Q. So, I want to ask you this question as simply as
 21 I can. If the State of Rhode Island says that
 22 you shouldn't have been laid off because you
 23 were under an exemption from layoff because of
 24 your long service, and he was laid off, and they
 25 make up the money for that, which is the Consent

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1 statute to him.
 2 HEARING OFFICER RUSBINO: Right,
 3 well, can you not just show him the statute and
 4 let him read that.
 5 MR. MCKENNA: Sure. Can we mark
 6 this as an exhibit.
 7 MR. ROBINSON: I see no reason for
 8 marking a statute. If you want to ask questions
 9 about the law, I don't have an issue with it.
 10 Q. Was your decision consistent with Chapter
 11 36-8-1 (8)?
 12 A. Yes.
 13 Q. Therefore, it says compensation means salary or
 14 wages earned and paid, correct?
 15 A. Correct.
 16 Q. These salaries were paid on what date?
 17 A. I don't recall the exact date.
 18 Q. They were paid and the exact date was set forth
 19 in the Consent Order June 23rd, 2010, correct?
 20 A. Correct.
 21 Q. So you did not, on your own whim, did not give
 22 him credit for that amount of money when he got
 23 paid, correct?
 24 A. No, we did give him credit.
 25 Q. Well, if you gave him credit, wouldn't that be

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1 Order. Don't you think that the salary that was
 2 made up is also subject to the amount that was
 3 paid being deducted from the money that would be
 4 contributed for employment?
 5 A. Absolutely.
 6 Q. Okay. So, now, assume for Section 368-1,
 7 Subsection 8, does apply to you and you're
 8 administering it, you're the Executive Director,
 9 and assume that it says compensation as used in
 10 chapters 810 of this title, chapters 16, 17 and
 11 title 16, chapter 21 and title 45, shall mean
 12 salary or wages earned and paid for the
 13 performances of duty for covenant employment,
 14 including regular longevity or incentive plans
 15 approved by the Board, but shall not include
 16 payments for overtime or any other reason other
 17 than performance of duties, including but not
 18 limited to, the payments listed below, payments
 19 contingent on the employee having terminated ---
 20 payments made at termination for unused sick
 21 leave, vacation leave or compensation time,
 22 payments contingent on the employee terminating
 23 employment at a specific time in the future.
 24 MR. ROBINSON: Objection.
 25 MR. MCKENNA: I'm reading the

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1 the amount that he earned that year?
 2 A. He got service credit for that year, and he
 3 got the salaries put back in the year it should
 4 have been in.
 5 Q. Where does it allow -- show me a statute because
 6 you are the administrator of the statute. Show
 7 me a statute which allows you to switch forms of
 8 accounting from a cash basis to an accrual
 9 basis, show me the statute?
 10 MR. ROBINSON: Objection.
 11 HEARING OFFICER RUSBINO: I'm going
 12 to sustain the objection in that I don't see the
 13 relevance of when you're talking about the cash
 14 basis and the accrual basis, you keep referring
 15 to the Consent Order, Mr. McKenna, and the
 16 Consent Order which has been introduced as a
 17 full exhibit says that the sum is based on the
 18 total annual salary the plaintiff has received
 19 at William M. Davies Career Technical High
 20 School during the 2007/2008 school year plus
 21 additional sums that would have been paid to him
 22 during the 2008/2009 school year, plus
 23 out-of-pocket medical expenses, et cetera.
 24 MR. MCKENNA: Right. May I explain
 25 that to the Hearing Officer?

1 HEARING OFFICER RUSBINO: I'm not
2 following the relevance of asking about the cash
3 and accrual when you asked him earlier about the
4 Consent Order. This is the Consent Order that
5 has been introduced as a full exhibit. That
6 basically sets forth what the appellant was paid
7 and what those sums were, what they constituted
8 in the court according to the Consent Order.

9 MR. MCKENNA: Right, and what they
10 should be.

11 HEARING OFFICER RUSBINO: Right,
12 but then you're asking him about a cash basis
13 and an accrual basis.

14 MR. MCKENNA: Maybe the hearing
15 officer -- I want to make sure you understand
16 it.

17 HEARING OFFICER RUSBINO: I'm
18 trying to relate what that line of questioning
19 has to do with what is in the Consent Order,
20 which I completely understand the questioning on
21 the Consent Order.

22 MR. MCKENNA: The purpose of the
23 Consent Order was to enforce a statute from the
24 State of Rhode Island which says if you work 20
25 years as a Veteran you have that job until you

1 during 2007, a portion of 2007 and a portion of
2 2009, they didn't pay him.

3 HEARING OFFICER RUSBINO: Right,
4 but subsequent to the consent judgment.

5 MR. MCKENNA: They paid him a few
6 days after the consent judgment.

7 HEARING OFFICER RUSBINO: Right, so
8 after June 23rd, or somewhere after that period
9 of time.

10 MR. MCKENNA: I'm saying if you use
11 a cash basis accounting form, which I say the
12 state is on, all right, accrual may mean --

13 Q. Do you know the difference between accrual and a
14 cash basis?

15 A. Absolutely.

16 Q. All right. So accrual is what you may owe or
17 may have should have paid. It's like the
18 unfunded accrued liability in the pension system
19 and it's like 40 percent of what's owed, right.
20 That's why you call it an accrual system, right,
21 but that's not a cash basis?

22 MR. ROBINSON: I'll object because
23 it's not clear that there's a question. If
24 there is a question, he's not being permitted to
25 answer it.

1 want to retire. There's no forced retirement.

2 HEARING OFFICER RUSBINO: Well, the
3 Consent Order is saying, in other words, that is
4 the amount of money that Mr. Perfetto should
5 have earned had he been allowed to continue
6 working --

7 MR. MCKENNA: Exactly.

8 HEARING OFFICER RUSBINO: And he
9 was not allowed to continue working during that
10 period of time.

11 MR. MCKENNA: Exactly. And the
12 statute says, this is the purpose of my
13 question. Average compensation shall be in the
14 average of the highest five years of
15 compensation within total service when the
16 average compensation was the highest. And then
17 it goes on to say, his compensation shall mean
18 salary or wages earned and paid for the
19 performance of the duties. He was paid --

20 HEARING OFFICER RUSBINO:
21 Subsequent, either the same date or somewhere
22 subsequent to the consent judgment?

23 MR. MCKENNA: No, this consent
24 judgment concerns time he wasn't paid. That's
25 the purpose of the lawsuit. As he testified

1 Q. Let me try it again. Average compensation
2 should have included the \$55,000 in the year
3 2010, agree or disagree?

4 A. He did not have it earned and paid in that
5 year.

6 Q. He didn't have it paid before that?

7 A. The statute says earned and paid. Two
8 things have to happen. It was earned in 2008.
9 It wasn't earned in 2010.

10 Q. And it was paid in 2010?

11 A. Correct, it was earned in 2008.

12 Q. Do you know the difference between a conjunctive
13 sentence? Doesn't earn and paid mean two
14 functions?

15 A. Correct, the first one is earned.

16 Q. The first one is earned, and compensation says
17 paid. So it's not compensation until you get it
18 paid, correct?

19 A. He did get it paid.

20 Q. He did get it paid in 2010?

21 A. For services rendered in 2008.

22 Q. Exactly. And that's why it should have been
23 included in his average compensation?

24 A. It was paid in 2010, it was earned in 2008.

25 That's when he should have been paid that money,

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1 and put it back where it should have been.
 2 Q. But he wasn't paid during that year. Where do
 3 you get authority to earn -- you are saying that
 4 earned and paid mean -- once it's earned it
 5 should be paid, but it wasn't, correct? I want
 6 the Court to accept one piece of paper, and I'll
 7 rest. He is breaking the law, and that's the
 8 end of my argument. He is breaking -- I don't
 9 even want to ask him anymore questions.
 10 HEARING OFFICER RUSBINO: Well, the
 11 problem is -- part of what you're attempting to
 12 do on cross-examination -- a lot of it is
 13 argumentative, as opposed to asking questions,
 14 you know, waiting for answers, taking issue with
 15 the question. I'm not saying all of it is, but
 16 some of it is argumentative, and what you're doing
 17 is you're arguing back and forth for the very
 18 issue that I have to decide. And it's really
 19 not a matter of the two of you deciding it, it's
 20 a matter of --
 21 MR. MCKENNA: You are. That's why
 22 I'm willing to rest on one piece of the paper.
 23 HEARING OFFICER RUSBINO: You want
 24 to introduce the Rhode Island General Laws; is
 25 that correct?

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1 for the Employees' Retirement System, Michael
 2 Robinson, I will note his objection. I will
 3 overrule it and I will mark it as Appellant's
 4 whatever.
 5 MR. MCKENNA: I would like to.
 6 HEARING OFFICER RUSBINO: What
 7 number is that?
 8 HEARING OFFICER RUSBINO: We're
 9 going to take a quick break so we can determine
 10 the number on that.
 11 (OFF THE RECORD)
 12 (BRIEF RECESS)
 13 HEARING OFFICER RUSBINO: All
 14 right, we're back on the record in the matter of
 15 Perfetto versus Employees' Retirement System.
 16 We are concluding the hearing, and there will be
 17 post-hearing memos that will be submitted upon
 18 receipt of a transcript that each side will have
 19 approximately, 45 days, I believe was the
 20 agreement. We'll have 45 days to submit
 21 post-hearing memos. And that concludes the
 22 hearing in this matter.
 23 (HEARING CONCLUDED AT 6:15 P.M.)
 24
 25

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1 MR. MCKENNA: One paragraph.
 2 MR. ROBINSON: I think you can take
 3 judicial notice on it. It's readily available.
 4 I don't want to go word-for-word, comparing the
 5 accuracy of that version of the statute.
 6 HEARING OFFICER RUSBINO: Since I
 7 can take judicial notice of it, I will introduce
 8 it. You can have an objection to it. I'll
 9 overrule the objection.
 10 MR. ROBINSON: I've already
 11 afforded you courtesy copies of the decisions
 12 that I've cited.
 13 HEARING OFFICER RUSBINO: I can
 14 bring it up on the computer, and I compare
 15 everything.
 16 MR. MCKENNA: I'll just ask the
 17 Court to identify it and review it as an
 18 exhibit. That doesn't mean it's evidence. If
 19 you don't think it's evidence, then don't pay
 20 attention to it.
 21 HEARING OFFICER RUSBINO: Well, I
 22 can take judicial notice of it, so in any event,
 23 I will note your objection.
 24 MR. MCKENNA: I rest.
 25 HEARING OFFICER RUSBINO: Attorney

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C-E-R-T-I-F-I-C-A-T-E

1
 2
 3 I, PAULA J. CAMPAGNA, Certified Shorthand
 4 Reporter, a Notary Public, do hereby certify
 5 that I am expressly approved as a person
 6 qualified and authorized to take depositions
 7 pursuant to Rules of Civil Procedure of the
 8 Superior Court; especially, but without
 9 restriction thereto, under Rule 28 of said
 10 Rules; that the witness was sworn by me; and
 11 that the foregoing transcript contains a true
 12 record of the proceedings.
 13
 14 Reading and signing of the transcript was
 15 not requested by the deponent involved upon
 16 completion of the deposition.
 17
 18 IN WITNESS WHEREOF, I hereunto set my hand
 19 this 19th day of October, 2014.
 20
 21
 22
 23
 24
 25

Paula J. Campagna
 Notary Public

PAULA J. CAMPAGNA, NOTARY PUBLIC/CERTIFIED
 COURT REPORTER
 MY COMMISSION EXPIRES: April 25, 2018

IN RE: Robert Perfetto
 vs
 Employees' Retirement System
 of Rhode Island

DATE: September 26, 2014

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#1787 "A"

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

Robert Perfetto,
Plaintiff,

v.

C.A. No.: 13-5811

Employees' Retirement System
Of Rhode Island and Gino Raimondo,
in her capacity as General Treasurer
of the State of Rhode Island and
Rhode Island Retirement Board,
Defendants.

JUDGMENT

Judgment hereby enters in favor of the Defendant, the Employees' Retirement System of the State of Rhode Island ("ERSR I"), and against the Plaintiff, consistent with the terms of the Order entered herewith, and this matter is hereby dismissed without prejudice.

Entered as a Judgment of the Court this 30th day of July, 2014.

Enter:

Per Order,

Clerk

Nickia M. Monteiro, Deputy Clerk

Montalbano, J.

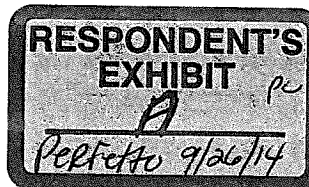
6-30-14

Presented by:

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mrobinson@shslawfirm.com


2014 JUN 30 P 3:45

CLERY S. KIRCH JR., CLERK
SUPERIOR COURT
FILED



CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing *Judgment*, was furnished via first class mail to Keven A. McKenna, Esq., 23 Acorn Street, Providence, Rhode Island, 02903, and Assistant Attorney General Thomas A. Palombo, Esq., 150 South Main Street, Providence, Rhode Island, 02903, on this 30 day of June 2014.



STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

Robert Perfetto,
Plaintiff,

v.

Employees' Retirement System
Of Rhode Island and Gino Raimondo,
in her capacity as General Treasurer
of the State of Rhode Island and
Rhode Island Retirement Board,
Defendants.

C.A. No.: 13-5811

ORDER

This matter was scheduled for hearing on June 10, 2014, on the Employees' Retirement System of the State of Rhode Island ("ERSRI")'s motion to dismiss the Plaintiff's complaint pursuant to Superior Court Rules of Civil Procedure 12(b)(1) and 12(b)(6), and Plaintiff's objection thereto, Montalbano, J. presiding. After hearing thereon,

and in consideration thereof, it is hereby Ordered:

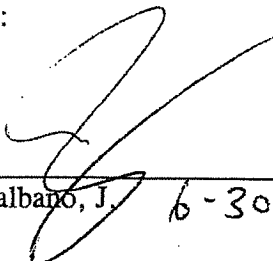
1. ERSRI's motion to dismiss is granted for the reasons set forth on the record, and this matter is hereby dismissed without prejudice;
2. In connection with dismissal of this action without prejudice, the Court hereby directs ERSRI to afford Plaintiff the procedures available to him in accordance with promulgated regulations for the administrative resolution of contested cases, and ERSRI shall not refuse to provide Plaintiff access to any such available procedures based upon any claimed failure to request administrative review in a timely fashion;

2014 JUN 30 P 3:45
SUPERIOR COURT
FILED
MARY S. KINCH JR., CLERK

3. Judgment shall enter in favor of ERSRI consistent with the terms of this Order.

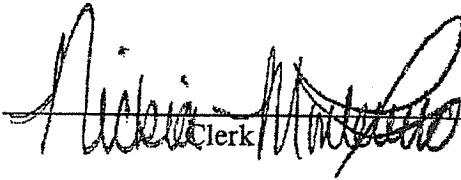
Entered as an Order of the Court this 30th day of June, 2014.

Enter:




Montalban, J. 6-30-14

Per Order,



Niekia M. Monteiro, Deputy Clerk

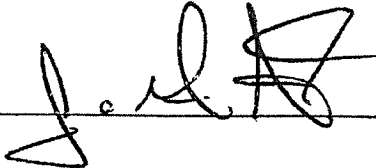
Presented by:



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Pawtucket, RI 02860
(401) 272-1400
(401) 272-1403 (fax)
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing *Order*, was furnished via first class mail to Keven A. McKenna, Esq., 23 Acorn Street, Providence, Rhode Island, 02903, and Assistant Attorney General Thomas A. Palombo, Esq., 150 South Main Street, Providence, Rhode Island, 02903, on this 30 day of June 2014.



Copy #3 Resp B (Full)

EMPLOYEES' RETIREMENT SYSTEM OF RHODE ISLAND
 50 Service Avenue, 2nd Floor
 Warwick, RI 02886-1021
 Office (401) 462-7600 Fax (401) 462-7691
 E-Mail: ersri@ersri.org Web Site: www.ersri.org

**APPLICATION FOR RETIREMENT
 (Employees Retirement System)
 Schedule A**

Instructions: Please print clearly or type in black ink.

MEMBER INFORMATION

Name: ROBERT J PERFETTO			SSN:
Address:			Date of Retirement: 08/01/2013
City: NARRAGANSETT	State: RI	ZIP:	Date of Termination: 07/31/2013
Home Phone:	Email Address:	Estimate No.: 356186	Date of Birth:

PLAN INFORMATION

Plan: Employees Retirement System	Benefit Structure: STEE
--	--------------------------------

MEMBER STATUS (Please state your current position. If you are not currently employed or on approved leave of absence, please explain)

Vice Principal @ RI TRAINING SCHOOL

BENEFICIARY INFORMATION for Death Benefit Only. Death Benefit will be divided equally among beneficiaries listed below.

See *Option Selection Form* to name Beneficiary for Survivor Pension (Option 1 or Option 2).

First Name <i>Laura</i>	MI <i>M</i>	Last Name <i>Perfetto</i>	Date of Birth (mm/dd/ccyy) <i>1 / 1 / 2013</i>
Address:			SSN
City <i>Warwick</i>	State <i>RI</i>	Zip	Relationship <i>Daughter</i>
First Name	MI	Last Name	Date of Birth (mm/dd/ccyy) <i>1 / 1 / 36</i>
Address			SSN
City	State	Zip	Relationship

DIRECT DEPOSIT INFORMATION AND AUTHORIZATION

Name of the Bank / Financial Institution	<input checked="" type="checkbox"/> Checking	<input type="checkbox"/> Saving
Bank's Routing Number	Your Account Number	

DIRECT DEPOSIT AUTHORIZATION

I certify that I am entitled to an ERSRI retirement allowance, and authorize my payment to be sent to the financial institution named above and to be deposited in the designated account.

Please enclose a copy of a voided check, or first page of bank statement showing account numbers for savings accounts. Please note, failure to provide requested documentation may delay the processing of your pension. Please allow 2-3 months for your first pension check (payment retroactive to date of retirement). First payment is mailed to the home; all payments thereafter are direct deposited to your account. Pension payments are made on the last business day of the month for that month.

Signature <i>Robert J Perfetto</i>	Date <i>7/9/2013</i>
---------------------------------------	-------------------------

Generated by: John E Midgley	Generation Date: 3/25/2013
------------------------------	----------------------------



FEDERAL TAX WITHHOLDING STATUS AND EXEMPTIONS

Withholding Status (check one)

Married Single

Number of Exemptions Claimed: _____

FEDERAL TAX WITHHOLDING PREFERENCE (check one)

- I do not wish to have federal taxes deducted from my retirement allowance.
- I wish to have ERSRI determine the amount, if any, of federal taxes to be withheld from my retirement allowance in accordance with the applicable tax tables using the marital status and exemptions claimed.
- I wish to have ERSRI determine the amount, if any, of federal taxes to be withheld from my retirement allowance in accordance with the applicable tax tables using the marital status and exemptions indicated above. I also wish to have \$ _____ withheld from each monthly benefit payment in addition to the amount to be withheld on the basis of withholding status and exemption claimed.
- I wish to have ERSRI withhold a total amount of \$ _____ from each monthly benefit payment.

RI STATE INCOME TAX WITHHOLDING PREFERENCE (check one)

- I do not wish to have Rhode Island state taxes deducted from my retirement allowance.
- I request voluntary income tax withholding from my pension payment in accordance with the applicable tax tables using the marital status and exemptions indicated above. I also wish to have \$ _____ withheld from each monthly benefit payment in addition to the amount to be withheld on the basis of withholding status and exemption claimed.
- I want the following amount to be withheld from each pension payment \$ _____

MEMBER'S STATEMENT AND SIGNATURE

I, the undersigned, certify that I understand my rights and benefits as a member of the Employees Retirement System of Rhode Island. Under the penalties of perjury, I further certify that I have not been convicted or pled guilty to any crime related to my public office or public employment as defined in Rhode Island General Laws Sec 36-10.1-2.

I hereby apply to retire from the said system and understand that my retirement will become effective on the first day following my termination or the first day of the month this signed application is received in ERSRI office, whichever is later.

Signature of Member

Robert J. Pyette

Date

7/9/2013

Counselor's Signature (Optional)

John P. Mielby

Date

4/2/13

Guide to Retirement Forms

2013
ERSRI
July 11: 36

Forms / Information	Where to Send	When
Employers' Certification of Retirement and Final Wages	Your Payroll / HR Department	Within your notice period for termination, but not more than 3 months before termination
Application for Retirement <ul style="list-style-type: none"> • Federal and Rhode Island state taxes may be withheld from your pension check if desired. • As of July 2, 1998, all new retirees are required to utilize direct deposit. <ul style="list-style-type: none"> • Include a voided check or 1st page of bank savings statement with your application. 	ERSRI – 50 Service Avenue Warwick, RI 02886	Before last day of work
Birth Certificate for member and survivor if select Option #1 or Option #2	ERSRI – 50 Service Avenue	Before last day of work
Option Selection form	ERSRI – 50 Service Avenue	Before last day of work
Teachers Survivors' Benefits Election Form (if applicable)	ERSRI – 50 Service Avenue	Before last day of work
Basic Group Insurance – Election Form (if applicable)	ERSRI – 50 Service Avenue	Before last day of work
Retiree Health Care Election (for state and teachers)	Office of Employee Benefits, One Capitol Hill	Before last day of work

EMPLOYEES' RETIREMENT SYSTEM OF RHODE ISLAND
 50 Service Avenue, 2nd Floor
 Warwick, RI 02886-1021
 Office (401) 462-7600 Fax (401) 462-7691
 Email: ersri@ersri.org Web Site: www.ersri.org

**ERSRI
 Ordinary
 Service**

Respondent A C
(Full)

Estimate of Benefits Schedule A

MEMBER INFORMATION

Name	SSN	Date of Birth	Date of Retirement
Robert J Perfetto			08/01/2013
Plan	Benefit Structure		
Employees Retirement System	State Employees		

BENEFICIARY INFORMATION

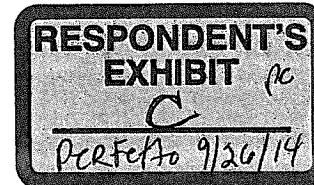
Name	Date of Birth	Relationship	Special Provisions

MEMBER ACCOUNT INFORMATION

Service Credit Type	Awarded	Projected	Potential	Total	Member Account Balance	\$157,462.01
Membership Service (contributions)	0.0000	0.4167	0.0000	0.4167	Wages Used in Calculating Average Compensation	
Optional Service (purchases)	0.0000		0.0000	0.0000	2013	\$59,512.20
					2012	\$103,154.48
					2011	\$106,387.33
					2010	\$89,282.30
						\$0.00
						\$0.00
Total Service Credit Used in Estimate Calculation				0.4167	Total Wages	\$358,336.31
Service Credit Factor				0.6648	Average Compensation	\$119,445.44

Messages:

Office Information		
Generated by: John P Midgley	Generation Date: 12/13/2013	Estimate No: 356186



Monthly Gross Benefit Estimates
Instructions: Refer to enclosure for explanations for Option Description

Options	Robert	One Time Refund of Unused Contributions	One Time Refund of Unused Contributions	One Time Refund of Unused Contributions
SRA	\$6,617.05	One Time Refund of Unused Contributions	One Time Refund of Unused Contributions	One Time Refund of Unused Contributions
Option 1	\$0.00	\$0.00	\$0.00	\$0.00
Option 2	\$0.00	\$0.00	\$0.00	\$0.00

SRA Plus/Social Security Option

	SRA Plus/Social Security Retirement	Social Security Factor and estimated Soc. Sec. Benefit	Supplemental Amount
Robert	\$0.00	0.0000 of \$0.00	\$0.00

Teachers Survivor Benefits

Benefit		
Teachers Survivor Benefit	\$0.00	\$0.00

Resp D Felle

EMPLOYEES' RETIREMENT SYSTEM OF RHODE ISLAND
 50 Service Avenue, 2nd Floor
 Warwick, RI 02886-1021
 Office (401) 462-7600 Fax (401) 462-7691
 E-Mail: ersri@ersri.org Web Site: www.ersri.org

OPTION SELECTION FORM
(Employees Retirement System)

Instructions: Please type or print clearly using black ink.

MEMBER INFORMATION

Name: **ROBERT J PERFETTO**

SSN:

PLAN INFORMATION

Plan: **Employees Retirement System**

Benefit Structure: **STEE**

RETIREMENT BENEFIT SELECTION

Figures given below are ESTIMATES ONLY prepared to assist you in selecting a payment option. Your final benefit amount may vary as it will be computed after verification of salary and service credit. Place your initials in the column adjoining the payment option you wish to select. Initial ONE choice only. NOTE: If the Option Selection Form is received and no option has been initialed the form is not valid and will be returned to you for completion.

INITIALS	Type of Option	Retiree's Benefit Amount	Survivor Benefit Amount
RJF	SRA - Service Retirement Allowance No survivor benefit.	\$ 79,404.60	Zero
	OPTION 1 - Joint & Survivor 100% Reduced member benefit, but survivor receives same amount.	N/A	N/A
	OPTION 2 - Joint & Survivor 50% Reduced member benefit, but survivor receives 50% of pension amount..	N/A	N/A
	SRA PLUS - Social Security Option (Not available for Police/Fire, disability, MHRH Nurses or Schedule B retirees) Provides increased monthly benefit until age 62, and a predetermined reduction the month following your 62 nd birthday. No survivor benefit.		ERSRI Zero 2013 JUL 9 AM 11:36
	SRA Plus amount at retirement:	\$0.00	
	Reduced benefit amount, with COLA, month after 62 nd birthday: (This calculation is an estimate only and assumes a COLA of 3%. The COLA may vary from 0% - 3%.)	\$0.00	

OPTION 1 or 2 BENEFICIARY INFORMATION - TO BE COMPLETED ONLY IF SELECTING Option 1 or Option 2

** ALSO ATTACH A COPY OF THE BENEFICIARY'S BIRTH CERTIFICATE **

Beneficiary's First Name	MI	Beneficiary's Last Name
Beneficiary's Social Security Number		Beneficiary's Date of Birth (mm/dd/ccyy) / /

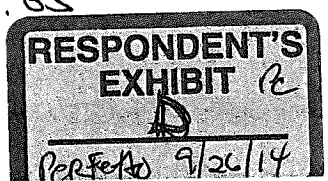
MEMBER'S CERTIFICATION - Please initial each statement and sign

- I understand that my retirement will become effective on the first day following my termination or the first day of the month the signed application is received in the ERSRI office, whichever is later.
- I understand that my first pension check will arrive 2-3 months after my retirement date; my pension cannot be processed until I have submitted all forms that I am responsible for, and my employer has submitted the necessary termination form and any other information that ERSRI requires to calculate my benefit.
- I understand that my first pension check will be retroactive to the date of my retirement, and will be an actual check sent to my mailing address. Subsequent checks will be electronically deposited into the checking or savings account that I have specified; deposits will be processed on the last business day of the month.
- I understand that if I have elected either Option 1 or Option 2 at the time of retirement, I have the right to change my retirement option one time only to either Option #1, #2 or the SRA Plan, provided that I or my beneficiary, if married at the time of my retirement, have not divorced or are not involved in divorce proceedings. I understand that I may not change to the SRA Plus plan.
- I understand that if I have elected either the SRA or the SRA Plus option, the pension benefit will cease upon my death and my beneficiary will be entitled to only a one time death benefit.
- I understand that if I have elected either the SRA or the SRA Plus option, I cannot change the option once I have begun to receive a pension benefit.
- I understand that if I have elected the SRA Plus option, my benefit will be reduced the month following my 62nd birthday; the reduction amount will be the predetermined amount regardless of the amount that I might collect from the Social Security Administration. This reduction will be automatic, regardless of when I apply for or begin to receive my Social Security benefit from the Social Security Administration

Signature of Member <i>Robert J. Perfetto</i>	Date (mm/dd/ccyy) 07/09/2013
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79,404.60 / 12 = 6617.05

ERSRI



Rev. 02/17/10

Respondent's
E
(Free)

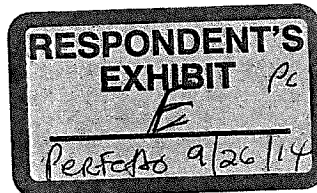
To: Mr. John Midgley,
Fr: Robert J. Perfetto

2012-09-26 13:24

Narragansett, RI 02882

Mr. Midgley, this is the court document we discussed today for your review re my retirement account. Please advise.

Thank you, robert
Robert





Employees' Retirement System of Rhode Island

Resp F
(Free)

ERSRI Board:

June 20, 2014

Gina M. Raimondo
General Treasurer
Chair

Keven A. McKenna
23 Acorn Street
Providence, RI 02903

William B. Finelli
Vice Chair

Gary R. Alger

RE: Robert Perfetto



Daniel L. Beardsley

Dear Attorney McKenna:

Frank R. Benell, Jr.

We write regarding the above retiree and his request to have a lump sum retroactive payment he received from his employer which represented "back pay in the amount of \$55,775.00" for the years 2007-2009 be used in the calculation of his pension benefit. This request cannot be granted.

Roger P. Boudreau

Michael R. Boyce

Mark A. Carruolo

Richard A. Licht

John P. Maguire

John J. Meehan

Thomas A. Mullaney

Mr. Perfetto retired on August 1, 2013. Given his eligibility under Rhode Island General Law (RIGL), the calculation of his Final Average Compensation was based on three (3) consecutive years where compensation was the highest. Specifically, the 78 consecutive pay periods during 2010-2013 where compensation was **earned** and **paid** as provided in RIGL.

Claire M. Newell

Louis M. Prata

Jean Rondeau

The Employees' Retirement System of Rhode Island (ERSRI) received a copy of the Consent Order from the Superior Court which sets forth the amount of back pay to be made to Mr. Perfetto, the period covered and the reasons for the payment. The sum paid in the amount of \$55,775.00 reflects moneys received and earned for the school years from 2007 through 2009.

Frank J. Karpinski
Executive Director

Rhode Island General Laws define average compensation and provides the following:

RIGL §36-8-1 (5)(a) "Average compensation" for members eligible to retire as of September 30, 2009 shall mean the average of the highest three (3) consecutive years of compensation, within the total service when the average compensation was the highest. For members eligible to retire on or after October 1, 2009, "Average compensation" shall mean the average of the highest five (5) consecutive years of compensation within the total service when the average compensation was the highest.



Employees' Retirement System of Rhode Island

*Robert Peretto
G. (Full)*

ERSRI Board: June 20, 2014

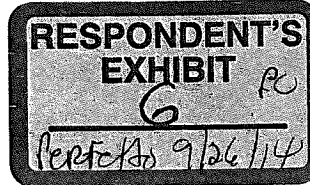
Gina M. Raimondo
General Treasurer
Chair

Keven A. McKenna
23 Acorn Street
Providence, RI 02903

William B. Finelli
Vice Chair

Gary R. Alger

RE: Robert Peretto v ERSRI



Daniel L. Beardsley

Dear Attorney McKenna:

Frank R. Benell, Jr.

In accordance with Rhode Island General Laws §36-8-3 and Regulation 4, Rules of Practice and Procedures for Hearings in Contested Cases, your request for a hearing has been assigned to:

Roger P. Boudreau

Michael R. Boyce

Mark A. Carruolo

HEARING OFFICER: Teresa M. Rusbino, Esquire
(401) 741-7378

Richard A. Licht

John P. Maguire

**LOCATION: Employees Retirement System of Rhode Island
50 Service Avenue, 2nd Floor
Warwick, RI 02886**

John J. Meehan

Thomas A. Mullaney

Claire M. Newell

You should contact the hearing officer to arrange a mutually convenient time to hold the hearing. A party who fails to attend or participate in the hearing may be held to be in default and have his or her appeal dismissed with prejudice.

Louis M. Prata

Jean Rondeau

Members must appear at hearings either personally or by appearance of legal counsel. Consistent with RIGL §11-27-2 entitled, *Practice of law*, any person accompanying the member who is not a lawyer (certified member of the bar of the State of Rhode Island) cannot represent the member in the hearing.

Frank J. Karpinski
Executive Director

Should you have any additional questions, please do not hesitate to contact me at 401-462-7600.

Sincerely,

Gayle C. Mambro-Martin
Gayle C. Mambro-Martin, Esq.

cc: Robert Peretto
Michael P. Robinson, Esq.

#1
Appellant's
Full

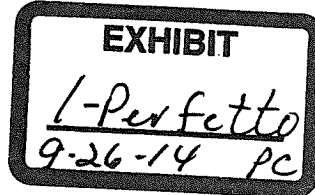
Providence County State of Rhode Island and Providence Plantations
Superior Court

Robert Perfetto
Plaintiff

VS

Employees' Retirement System
Of Rhode Island and
Gino Raimondo, in her capacity as
General Treasurer of the State of Rhode
Island and
Rhode Island Retirement Board
Defendant

13-



Complaint

Parties

1. The Plaintiff is Robert J. Perfetto of Narragansett, R.I. 02882.
2. The Defendants are (a) the Employees' Retirement System of Rhode Island, (b) Rhode Island Retirement Board located each located at 50 Service Avenue, 2nd Floor of Warwick, Rhode Island 02886 and (c) Gino Raimondo in her official capacity as the General Treasurer of the State of Rhode Island (hereinafter referred to as the "Treasurer"), located at the State House on Smith Street in Providence, Rhode Island 02903. Pursuant to R.I.G.L. §42-10-11 et seq., the Treasurer has responsibility for and control of state funds and the payment of state retirement benefits administered through the Employees' Retirement System of Rhode Island. Pursuant to R.I. G.L. §36-8-9, the Treasurer shall serve as ex-officio chairperson of the Rhode Island Retirement Board and custodian and treasurer of the funds of the Employees' Retirement System of Rhode Island.
3. Defendant, Employees' Retirement System of Rhode Island, is established and placed under the management of the Rhode Island Retirement Board pursuant to R.I.G.L. §§36-8-2 and 36-8-3. The Retirement Board, pursuant to R.I.G.L. §36-8-9, by statute is in

charge of administration of the retirement system and serves as Secretary to the Retirement Board. The Employees' Retirement System of the State of Rhode Island and the Retirement Board are hereinafter collectively referred to as the "Retirement System".

Jurisdiction

4. This Honorable Court has jurisdiction over this controversy pursuant to section 1 and 2 of Article X of the R.I. State Constitution and R.I.G.L. §§8-6-13 (equity) and 8-6-14 (law), and R.I.G.L. §9-30-1, et seq (Uniform Declaratory Judgment Act).

Facts:

5. The Plaintiff was born on _____.
6. The Plaintiff's base entry and hire date was restored to September 8, 1987 pursuant to a Superior Court Judgment, C.A. No. 09-2428 and his back pay of \$55,775 was awarded on June 23, 2010.
7. Plaintiff is entitled to certain benefits of retirement upon reaching the standards for retirement as they existed on September 30, 2009 ("Group A"), including "average compensation" being ...the average of the highest three (3) consecutive years of compensation.." as per R.I.G.L. §36-8-1.
8. On August 1, 2013 the Plaintiff retired from the Employment System based upon calculations as a Group A member and as set forth in that certain "Benefits Estimate" prepared by John P. Midgley of the Retirement System, in his clerical capacity pursuant to R.I.G.L. §§36-8-1 and 36-8-10, during a meeting initiated by the Plaintiff to determine his retirement income should he desire to retire at this time.

9. Plaintiff relied on the calculation of the monthly retirement benefit which he was informed he would receive and based upon said information, Plaintiff concluded that retirement was an option at this time.
10. Thereinafter the Treasurer's office mailed the incorrect statutory sum due for the monthly retirement check of the Plaintiff from the Treasury account of the Defendant, the Retirement System.
11. The retirement check received by Plaintiff was incorrect in that it was approximately \$1,000 less than the calculations set forth in the Benefits Estimate presented to Plaintiff at the time he entered into the retirement contract. When Plaintiff questioned the discrepancy, he was informed that "an error was made" in the calculation of benefits.
12. But for the incorrect calculation of his retirement benefits, the Plaintiff would not have retired and the Defendants are equitably estopped from not paying the amount of monthly retirement sums promised and relied upon by the Retirement System.
13. Had the Retirement System not promised the incorrect monthly benefit, Plaintiff would not have retired and would have continued working.
14. The false fact presented by the Employee Retirement System induced the Plaintiff to enter into a retirement contract; thus, the Plaintiff's retirement contract is void based on such misrepresentation of a material fact for which the Plaintiff relied upon.

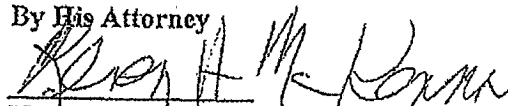
Wherefore, Plaintiff demands the following alternative forms of relief:

- (i) Order the Treasurer and the Retirement System to abide by the Benefits Estimate and pay the Plaintiff the correct monthly sum in accordance with statute, plus interest;

- (ii) In the alternative, declare the retirement contract void and order that the Plaintiff be rehired as of August 1, 2013 as if he had not been falsely induced to retire and that he be awarded a retroactive credit for income he would have earned, plus interest.
- (iii) Plaintiff be awarded counsel fees and costs.
- (iv) Provide such other relief which is just and equitable.

Plaintiff

By His Attorney


Kevin A. McKenna, #662

23 Acorn Street

Providence, Rhode Island 02903

401 273-8200 Tel.

COPY

2 Appellant
3
Freed

EMPLOYEES' RETIREMENT SYSTEM OF RHODE ISLAND
50 Service Avenue, 2nd Floor
Warwick, RI 02886-1021
Office (401) 462-7600 Fax (401) 462-7691
E-Mail: ersri@ersri.org Web Site: www.ersri.org

APPLICATION FOR RETIREMENT
(Employees Retirement System)
Schedule A

Instructions: Please print clearly or type in black ink.

MEMBER INFORMATION

Name: ROBERT J PERFETTO			SSN:
Address:			Date of Retirement: 08/01/2013
City: NARRAGANSETT	State: RI	ZIP: 02882	Date of Termination: 07/31/2013
Home Phone:	Email Address:	Estimate No.: 356186	Date of Birth:

PLAN INFORMATION

Plan: Employees Retirement System	Benefit Structure: STEE
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MEMBER STATUS (Please state your current position. If you are not currently employed or on approved leave of absence, please explain)

Vice Principal @ RI TRAINING SCHOOL

BENEFICIARY INFORMATION for Death Benefit Only. Death Benefit will be divided equally among beneficiaries listed below.
See Option Selection Form to name Beneficiary for Survivor Pension (Option 1 or Option 2).

First Name <i>Laura</i>	MI <i>m</i>	Last Name <i>Perfetto</i>	Date of Birth (mm/dd/yyyy)
Address			SSN
City <i>Warwick</i>	State <i>RI</i>	Zip <i>02888</i>	Relationship <i>Daughter</i>
First Name	MI	Last Name	Date of Birth (mm/dd/yyyy)
Address			SSN
City	State	Zip	Relationship

2013 JUN 9 AM 11:36
ERSRI

DIRECT DEPOSIT INFORMATION AND AUTHORIZATION

Name of the Bank / Financial Institution	<input checked="" type="checkbox"/> Checking <input type="checkbox"/> Savings
Bank's Routing Number	Your Account Number

EXHIBIT
2-Perfetto
9-26-14 PC

DIRECT DEPOSIT AUTHORIZATION

I certify that I am entitled to an ERSRI retirement allowance, and authorize my payment to be sent to the financial institution named above and to be deposited in the designated account.

Please enclose a copy of a voided check, or first page of bank statement showing account numbers for savings accounts. Please note, failure to provide requested documentation may delay the processing of your pension. Please allow 2-3 months for your first pension check (payment retroactive to date of retirement). First payment is mailed to the home; all payments thereafter are direct deposited to your account. Pension payments are made on the last business day of the month for that month.

Signature <i>Robert J. Perfetto</i>	Date <i>7/9/2013</i>
--	-------------------------

Generated by: John P. Midgley
Generation Date: 3/25/2013

FEDERAL TAX WITHHOLDING STATUS AND EXEMPTIONS

Withholding Status (check one) <input type="checkbox"/> Married <input checked="" type="checkbox"/> Single	Number of Exemptions Claimed: _____
---	-------------------------------------

FEDERAL TAX WITHHOLDING PREFERENCE (check one)

<input type="checkbox"/>	I do not wish to have federal taxes deducted from my retirement allowance.
<input checked="" type="checkbox"/>	I wish to have ERSRI determine the amount, if any, of federal taxes to be withheld from my retirement allowance in accordance with the applicable tax tables using the marital status and exemptions claimed.
<input type="checkbox"/>	I wish to have ERSRI determine the amount, if any, of federal taxes to be withheld from my retirement allowance in accordance with the applicable tax tables using the marital status and exemptions indicated above. I also wish to have \$ _____ withheld from each monthly benefit payment in addition to the amount to be withheld on the basis of withholding status and exemption claimed.
<input type="checkbox"/>	I wish to have ERSRI withhold a total amount of \$ _____ from each monthly benefit payment.

RI STATE INCOME TAX WITHHOLDING PREFERENCE (check one)

<input type="checkbox"/>	I do not wish to have Rhode Island state taxes deducted from my retirement allowance.
<input checked="" type="checkbox"/>	I request voluntary income tax withholding from my pension payment in accordance with the applicable tax tables using the marital status and exemptions indicated above. I also wish to have \$ _____ withheld from each monthly benefit payment in addition to the amount to be withheld on the basis of withholding status and exemption claimed.
<input type="checkbox"/>	I want the following amount to be withheld from each pension payment \$ _____

MEMBER'S STATEMENT AND SIGNATURE

I, the undersigned, certify that I understand my rights and benefits as a member of the Employees Retirement System of Rhode Island. Under the penalties of perjury, I further certify that I have not been convicted or pled guilty to any crime related to my public office or public employment as defined in Rhode Island General Laws Sec 36-10.1-2.

I hereby apply to retire from the said system and understand that my retirement will become effective on the first day following my termination or the first day of the month this signed application is received in ERSRI office, whichever is later.

Signature of Member <i>Robert J. Pyette</i>	Date 7/9/2013
Counselor's Signature (Optional) <i>John P. Midsky</i>	Date 4/2/13

Guide to Retirement Forms

2013 July 9 April: 36

Forms / Information	Where to Send	When
Employers' Certification of Retirement and Final Wages	Your Payroll / HR Department	Within your notice period for termination, but not more than 3 months before termination
Application for Retirement <ul style="list-style-type: none"> Federal and Rhode Island state taxes may be withheld from your pension check if desired. As of July 2, 1998, all new retirees are required to utilize direct deposit. <ul style="list-style-type: none"> Include a voided check or 1st page of bank savings statement with your application. 	ERSRI – 50 Service Avenue Warwick, RI 02886	Before last day of work
Birth Certificate for member and survivor if select Option #1 or Option #2	ERSRI – 50 Service Avenue	Before last day of work
Option Selection form	ERSRI – 50 Service Avenue	Before last day of work
Teachers Survivors' Benefits Election Form (if applicable)	ERSRI – 50 Service Avenue	Before last day of work
Basic Group Insurance – Election Form (if applicable)	ERSRI – 50 Service Avenue	Before last day of work
Retiree Health Care Election (for state and teachers)	Office of Employee Benefits, One Capitol Hill	Before last day of work

EMPLOYEES' RETIREMENT SYSTEM OF RHODE ISLAND
 50 Service Avenue, 2nd Floor
 Warwick, RI 02886-1021
 Office (401) 462-7600 Fax (401) 462-7691
 E-Mail: ersri@ersri.org Web Site: www.ersri.org

OPTION SELECTION FORM (Employees Retirement System)

Instructions: Please type or print clearly using black ink.

MEMBER INFORMATION

Name: **ROBERT J PERFETTO**

SSN [REDACTED]

PLAN INFORMATION

Plan: **Employees Retirement System**

Benefit Structure: **STEE**

RETIREMENT BENEFIT SELECTION

Figures given below are **ESTIMATES ONLY**, prepared to assist you in selecting a payment option. Your final benefit amount may vary, as it will be computed after verification of salary and service credit. Place your initials in the column adjoining the payment option you wish to select. Initial **ONE** choice only. NOTE: If the Option Selection Form is received and no option has been initialed the form is not valid and will be returned to you for completion.

INITIALS	Type of Option	Retiree's Benefit Amount	Survivor Benefit Amount
<i>RJP</i>	SRA - Service Retirement Allowance No survivor benefit.	\$ 79,404.60	Zero
	OPTION 1 - Joint & Survivor 100% Reduced member benefit, but survivor receives same amount.	N/A	N/A
	OPTION 2 - Joint & Survivor 50% Reduced member benefit, but survivor receives 50% of pension amount..	N/A	N/A
	SRA PLUS - Social Security Option (Not available for Police/Fire, disability, MHRH Nurses or Schedule B retirees) Provides increased monthly benefit until age 62, and a predetermined reduction the month following your 62 nd birthday. No survivor benefit.		Zero
	SRA Plus amount at retirement:	\$0.00	
	Reduced benefit amount, with COLA, month after 62 nd birthday: (This calculation is an estimate only and assumes a COLA of 3%. The COLA may vary from 0% - 3%.)	\$0.00	

2013 JUL 19 AM 11:36
 ERSRI

OPTION 1 or 2 BENEFICIARY INFORMATION – TO BE COMPLETED ONLY IF SELECTING Option 1 or Option 2

** ALSO ATTACH A COPY OF THE BENEFICIARY'S BIRTH CERTIFICATE **

Beneficiary's First Name	MI	Beneficiary's Last Name
Beneficiary's Social Security Number	Beneficiary's Date of Birth (mm/dd/ccyy)	

MEMBER'S CERTIFICATION – Please initial each statement and sign

- I understand that my retirement will become effective on the first day following my termination or the first day of the month the signed application is received in the ERSRI office, whichever is later.
- I understand that my first pension check will arrive 2-3 months after my retirement date; my pension cannot be processed until I have submitted all forms that I am responsible for, and my employer has submitted the necessary termination form and any other information that ERSRI requires to calculate my benefit.
- I understand that my first pension check will be retroactive to the date of my retirement, and will be an actual check sent to my mailing address. Subsequent checks will be electronically deposited into the checking or savings account that I have specified; deposits will be processed on the last business day of the month.
- I understand that if I have elected either Option 1 or Option 2 at the time of retirement, I have the right to change my retirement option one time only to either Option #1, #2 or the SRA Plan, provided that I or my beneficiary, if married at the time of my retirement, have not divorced or are not involved in divorce proceedings. I understand that I may not change to the SRA Plus plan.
- I understand that if I have elected either the SRA or the SRA Plus option, the pension benefit will cease upon my death and my beneficiary will be entitled to only a one time death benefit.
- I understand that if I have elected either the SRA or the SRA Plus option, I cannot change the option once I have begun to receive a pension benefit.
- I understand that if I have elected the SRA Plus option, my benefit will be reduced the month following my 62nd birthday; the reduction amount will be the predetermined amount regardless of the amount that I might collect from the Social Security Administration. This reduction will be automatic, regardless of when I apply for or begin to receive my Social Security benefit from the Social Security Administration

Signature of Member <i>Robert J. Perfetto</i>	Date (mm/dd/ccyy) <i>07/09/2013</i>
--	--



Employees' Retirement System of Rhode Island
Gina M. Raimondo, General Treasurer/Chair
50 Service Avenue
Warwick, Rhode Island 02886-1021

51-71112
Providence, RI

Check No:
Check Date: 09/30/13

Amount
\$*****8,878.82

NOT VALID AFTER 90 DAYS

PAY Eight Thousand Eight Hundred Seventy-Eight And 82/100 Dollars

TO THE ORDER OF
PERFETTO, ROBERT J
NARRAGANSETT, RI 02882

G. Raimondo
General Treasurer



EXHIBIT
3-Perfetto
9-26-14 PC

Appellant's 3
(Filed)

#3



Employees Retirement System of Rhode Island

Gina M. Raimondo, General Treasurer/Chair.

40 Fountain Street Providence, RI 02903-1854 (401) 457-3900 TDD:(401) 521-8980 Fax: (401) 222-2430

E-Mail: ersri@ersri.org Web Site: www.ersri.org

ERSRI Pension Statement

4
Appellant's
4
(Full)

Check Date: 09/30/13
Plan: Employees Retirement System

Check Details:		
Pension Amounts	This Period	Year - To - Date
Base Benefit	5,580.52	5,580.52
Pro Base Benefit	5,580.52	5,580.52
Gross Pay	11,161.04	11,161.04
Deductions		
Federal Tax Withheld	928.83	928.83
State Tax Withheld	212.28	212.28
ProPymt Fed Tax Withheld	928.83	928.83
ProPymt State Tax Withheld	212.28	212.28

Tax Withholding Information:		
	Federal	State of Rhode Island
Marital Exemptions	single	single
Additional	01	01

Please read the following messages carefully, they may affect the Net Amount of this check: _

Check Messages
Message 1:
Message 2:
Message 3:
Message 4:
Message 5:
Message 6:
Message 7:
Message 8:
Message 9:
Message 10:

EXHIBIT
4-Perfetto
9-26-14 PC



Employees' Retirement System of Rhode Island

5
Appellant(s) 5
(Full)

ERSRI Board:

October 2, 2013

Gina M. Raimondo
General Treasurer
Chair

Robert Perfetto

William B. Finelli
Vice Chair

Narragansett, RI 02882

Gary R. Alger

Dear Mr. Perfetto:

Daniel L. Beardsley

Following up on our discussion regarding your pension check amount, the reason it was higher on the estimate was because of the \$55,000 retroactive payment that was posted to your account by State payroll under 2010, when it should have been posted under 2009, since that's the year the payment was meant for, according to documentation in your file. I did notice this when I calculated your actual benefit, and was required to make the adjustment; I did not realize that the amount was included in your estimate.

Frank R. Benell, Jr.

Roger P. Boudreau

Michael R. Boyce

M. Carl Heintzelman

Richard A. Licht

I did reexamine your account to make sure that we used the highest possible calculation in determining your benefit, and have included a Pension Record with this letter showing exactly the years that we used. Even after moving the \$55,000 retro to the appropriate year, the last 78 pay periods that you worked - 3 years' worth of salaries - yields the highest average salary possible. Any other configuration would result in a lesser benefit.

John P. Maguire

John J. Meehan

Thomas A. Mullaney

Louis M. Prata

Linda C. Riendeau

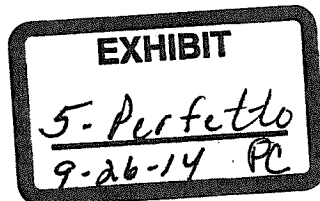
Jean Rondeau

With the high volume of estimates our office calculates every year, we do try to make them as accurate as possible, although they are only estimates. I do apologize that yours was inaccurate to such a large degree, however, the final calculated benefit that was determined for you is the highest possible amount we can give you.

Sincerely,

Frank J. Karpinski
Executive Director

John P. Midgley
Retirement Benefit Analyst
ERSRI



EMPLOYEES' RETIREMENT SYSTEM OF RHODE ISLAND
 40 Fountain Street
 Providence, RI 02903-1854
 Office (401) 457-3900, Fax (401) 222-2430
 E-Mail: ersri@ersri.org Web Site: www.ersri.org

**ERSRI – Pension Record
 Ordinary
 Service
 Preliminary Benefit Schedule A**

MEMBER INFORMATION

Name	SSN	Date of Birth	Date of Retirement
Robert J Perfetto			08/01/2013

Plan Employees Retirement System	Benefit Structure State Employees
----------------------------------	-----------------------------------

MEMBER ACCOUNT INFORMATION

Service Credit Type	Contributing Service	Non Contributing Service	Awarded	Member Contributions	
				Pre-Tax	Post-Tax
Membership Service (contributions)	25.8910		30.8910	\$132,046.45	\$25,415.56
Optional Service Credit		5.0000		Wages Used in Calculating Average Compensation	
				2013	\$59,512.20
				2012	\$103,154.48
				2011	\$103,708.81
				2010	\$35,698.80
Total Service Credit Used in Benefit Calculation			30.8910	Total Wages	\$302,074.29
Service Credit Factor			0.6651	Average Compensation	\$100,691.43

PENSION BENEFIT INFORMATION

Retiree	Option Chosen	Monthly Benefit Amount
Robert J Perfetto	MAX	\$5,580.52

SRA PLUS (SOCIAL SECURITY OPTION) DETAILS

Amount of Reduction at age 62: \$0.00

DEATH BENEFIT BENEFICIARY INFORMATION

Name	Date of Birth	Relationship

Please note the following:

1. Member's employer provides final salary figures for benefit calculation. Any disagreement concerning salary figures must be addressed to the employer by the retiring member.
2. SRA Maximum and SRA Plus (Social Security Option) plans, once chosen, may not be changed.
3. Members who select Option 1 or Option 2 upon retirement may change their option choice one time during retirement to Option 1, Option 2 or SRA Maximum Plan. A retired member may not change payment options if he/she has divorced his/her spouse, or is undergoing divorce proceedings.
4. All members retiring from service are required to name a beneficiary for \$4000 minimum Death Benefit. Death Benefit beneficiary information is listed above. Retirees with Group Life Insurance must complete the Group Life beneficiary form.
5. Police and Fire members, MHRH Nurses, disability members, and all Schedule B members are not eligible to choose the SRA Plus (Social Security Option).

Office Information

Generated by: John P Midgley

Generation Date: 10/2/2013

Copy B To Be Filed With Employee's FEDERAL Tax Return

OMB No. 1545-0008

Copy 2 To Be Filed With Employee's State, City, or Local Income Tax Return

OMB No. 1545-0008

#6

a Employee's social security number	1 Wages, tips, other compensation	2 Federal income tax withheld
	\$	\$
	3 Social security wages	4 Social security tax withheld
	\$	\$
b Employer's ID no.	5 Medicare wages and tips	6 Medicare tax withheld
	\$	\$
c Employer's name, address, and ZIP code		
STATE OF RHODE ISLAND OFFICE OF ACCOUNTS AND CONTROL ONE CAPITOL HILL PROVIDENCE, RI 02908-5883 TELEPHONE: (401)222-2673		
7 Social security tips	8 Allocated tips	9 Advance EIC payment
\$	\$	\$
10 Dependent care benefits	11 Nonqualified plans	12a See instructions for Box 12
\$	\$	G \$)
13 Statutory employee	Retirement plan	Third-party sick pay
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Other 414(H) FLEX PLAN		
12b \$		
12c \$		
12d \$		
d Control number		
e Employee's first name and initial Last name		
ROBERT J PERFETTO Suff.		
NARRAGANSETT RI 02882		
f Employee's address and ZIP code		
15 State Emplr.'s state ID #	16 State wages, tips, etc.	17 State income tax
RI	\$	\$
18 Local wages, tips, etc.	19 Local income tax	20 Locality name
\$	\$	\$

W-2 Wage and Tax Statement 2010

Dept. of the Treasury - IRS 05-6000522

This information is being furnished to the Internal Revenue Service

a Employee's social security number	1 Wages, tips, other compensation	2 Federal income tax withheld
	\$	\$
	3 Social security wages	4 Social security tax withheld
	\$	\$
b Employer's ID no.	5 Medicare wages and tips	6 Medicare tax withheld
	\$	\$
c Employer's name, address, and ZIP code		
STATE OF RHODE ISLAND OFFICE OF ACCOUNTS AND CONTROL ONE CAPITOL HILL PROVIDENCE, RI 02908-5883 TELEPHONE: (401)222-2673		
7 Social security tips	8 Allocated tips	9 Advance EIC payment
\$	\$	\$
10 Dependent care benefits	11 Nonqualified plans	12a See instructions for Box 12
\$	\$	G \$)
13 Statutory employee	Retirement plan	Third-party sick pay
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Other 414(H) FLEX PLAN		
12b \$		
12c \$		
12d \$		
d Control number		
e Employee's first name and initial Last name		
ROBERT J PERFETTO Suff.		
NARRAGANSETT RI 02882		
f Employee's address and ZIP code		
15 State Emplr.'s state ID #	16 State wages, tips, etc.	17 State income tax
RI	\$	\$
18 Local wages, tips, etc.	19 Local income tax	20 Locality name
\$	\$	\$

W-2 Wage and Tax Statement 2010

Dept. of the Treasury - IRS 05-6000522

This information is being furnished to the Internal Revenue Service

EXHIBIT
6-Perfetto
9-26-14 PC

Copy C For EMPLOYEE'S RECORDS

OMB No. 1545-0008

Notice to Employee on the back of Copy B)

a Employee's social security number	1 Wages, tips, other compensation	2 Federal income tax withheld
	\$	\$
	3 Social security wages	4 Social security tax withheld
	\$	\$
b Employer's ID no.	5 Medicare wages and tips	6 Medicare tax withheld
	\$	\$
c Employer's name, address, and ZIP code		
STATE OF RHODE ISLAND OFFICE OF ACCOUNTS AND CONTROL ONE CAPITOL HILL PROVIDENCE, RI 02908-5883 TELEPHONE: (401)222-2673		
7 Social security tips	8 Allocated tips	9 Advance EIC payment
\$	\$	\$
10 Dependent care benefits	11 Nonqualified plans	12a See instructions for Box 12
\$	\$	G \$)
13 Statutory employee	Retirement plan	Third-party sick pay
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Other 414(H) FLEX PLAN		
12b \$		
12c \$		
12d \$		
d Control number		
e Employee's first name and initial Last name		
ROBERT J PERFETTO Suff.		
NARRAGANSETT RI 02882		
f Employee's address and ZIP code		
15 State Emplr.'s state ID #	16 State wages, tips, etc.	17 State income tax
RI	\$	\$
18 Local wages, tips, etc.	19 Local income tax	20 Locality name
\$	\$	\$

W-2 Wage and Tax Statement 2010

Dept. of the Treasury - IRS 05-6000522

This information is being furnished to the Internal Revenue Service. You are required to file a tax return, a nonreturn, a penalty or other sanction.

Copy 2 To Be Filed With Employee's State, City, or Local Income Tax Return

OMB No. 1545-0008

a Employee's social security number	1 Wages, tips, other compensation	2 Federal income tax withheld
	\$	\$
	3 Social security wages	4 Social security tax withheld
	\$	\$
b Employer's ID no.	5 Medicare wages and tips	6 Medicare tax withheld
	\$	\$
c Employer's name, address, and ZIP code		
STATE OF RHODE ISLAND OFFICE OF ACCOUNTS AND CONTROL ONE CAPITOL HILL PROVIDENCE, RI 02908-5883 TELEPHONE: (401)222-2673		
7 Social security tips	8 Allocated tips	9 Advance EIC payment
\$	\$	\$
10 Dependent care benefits	11 Nonqualified plans	12a See instructions for Box 12
\$	\$	G \$)
13 Statutory employee	Retirement plan	Third-party sick pay
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Other 414(H) FLEX PLAN		
12b \$		
12c \$		
12d \$		
d Control number		
e Employee's first name and initial Last name		
ROBERT J PERFETTO Suff.		
NARRAGANSETT RI 02882		
f Employee's address and ZIP code		
15 State Emplr.'s state ID #	16 State wages, tips, etc.	17 State income tax
RI	\$	\$
18 Local wages, tips, etc.	19 Local income tax	20 Locality name
\$	\$	\$

W-2 Wage and Tax Statement 2010

Dept. of the Treasury - IRS 05-6000522

This information is being furnished to the Internal Revenue Service.

#7
Appellant's 7
(Fee)

STATE OF RHODE ISLAND
PROVIDENCE, S.C.

SUPERIOR COURT

ROBERT J. PERFETTO
Plaintiff

v.

C.A. No. 09-2428

R.I. DEPARTMENT OF ADMINISTRATION
by and through its Director GARY SASSE,
R.I. DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION, by and through its
Commissioner DEBORAH GIST
Defendants

EXHIBIT
7-Perfetto
9-26-14 PC

CONSENT ORDER

The above captioned civil action came before the Court (Silverstein, J.) on June 23, 2010 for hearing on Plaintiff's Motion to Hold Defendant's in Contempt. By agreement of the parties, is hereby

ORDERED, ADJUDGED AND DECREED

1. Plaintiff Robert J. Perfetto's base entry and hire date shall be restored to September 8, 1987. Plaintiff shall be deemed to have continuously served in state service since September 8, 1987; and
2. Plaintiff shall receive credit for ninety six (96) hours of sick leave from August 16, 2008 to July 27, 2009, the date Plaintiff began working at the Rhode Island Training School ("RITS") at the Department of Children, Youth and Families ("DCYF"), per Order of the Court; and
3. Plaintiff shall receive back pay in the amount of \$55,775. This sum is based on the total annual salary that Plaintiff had received at the William M. Davies, Jr. Career-Technical High School ("Davies") during the 2007-08 school year; plus additional sums that would have been paid to him during the 2008-09 school year, plus his out-of-pocket medical expenses for the 2008-09 school year, minus sums and benefits Plaintiff had received in payment during the 2008/09 school year; and

SUPERIOR COURT
FILED
HENRY S. KING JR., CLERK
2010 JUN 23 P 2:30


True Copy Attest

H. S. King, Jr.

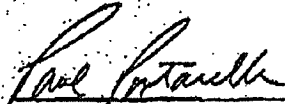
Office of Clerk of Superior Court
Counties of Providence & Bristol
Providence, Rhode Island

Presented by:

R.I. Department of Administration
By its attorney,

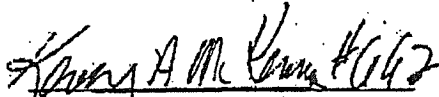

Peter N. Dennehy (#1946)
One Capitol Hill, 4th Floor
Providence, RI 02908

R.I. Department of Education
By its attorney,



Paul Pontarelli (# 3805)
255 Westminster Street
Providence, RI 02903

Assented to by:

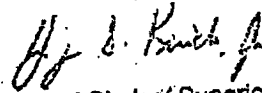
Attorney for Robert J. Perfetto:


Keven A. McKenna (#662) Esq.
23 Acorn Street
Providence, RI 02903

Assistant Attorney General:


Richard Wooley (#1452) Esq.
Department Attorney General
150 South Main Street
Providence, RI 02903

True Copy Attest


Office of Clerk of Superior Court
Counties of Providence & Bristol
Providence, Rhode Island

KEVEN A. MCKENNA

ATTORNEY AT LAW

Advocacy Since 1973

23 Acorn Street, Providence R.I. 02903

Tel: 401-273-8200 Fax: 401-521-5820 E-Mail: kevenm@kevenmckennapc.com

Keven A. McKenna
Samuel Kennedy-Smith*
Carleen Aubee*

* Also admitted in MA

September 8, 2014

Teresa M. Rusbino, Esquire
P.O. Box 8767
Cranston, Rhode Island
02920-0767

Re: Robert Perfetto v. ERSRI

CANo.: 2013-5811

Dear Attorney Rusbino:

We look forward to meeting with you for our hearing on September 18, 2014 at 2:00 pm.

The Plaintiff, Mr. Perfetto, went to Superior Court to vindicate his entitlement to back pay and benefits and was awarded \$55,775.00 in back pay on June 23, 2010 in Case Number 2009-2428. As Plaintiff retired on August 1, 2013, the \$55,775.00 in back pay was awarded in the last three years of his employment. Under R.I.G.L. § 36-8-1(5) “(5) “Average compensation” for members eligible to retire as of September 30, 2009 shall mean the average of the highest three (3) consecutive years of compensation, within the total service when the average compensation was the highest.”

When Plaintiff first consulted John P. Midgley of the Retirement System, Plaintiff’s retirement benefits were properly calculated with the back pay awarded in 2010 credited to the date of receipt by the Plaintiff. At some point in time after that calculation, the Defendants decided that they would credit the back pay paid out in 2010 to the period of time when Plaintiff should have received it, thus lowering the average of the highest three years of compensation.

This somewhat complicated set of facts can be boiled down to one simple question: Under R.I.G.L. § 36-8-1(5), where the Plaintiff was awarded back pay, is the back pay calculated at the time of receipt by Plaintiff or is it be spread back over the years it should have been awarded for the sake of calculating retirement benefits?

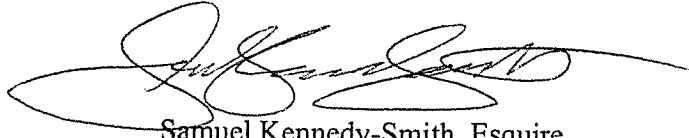
It is Plaintiff’s position that the back pay must be credited to the time of receipt and that the Plaintiff is legally entitled to the higher benefits. This is both equitable - given the

Defendant's original refusal to pay Mr. Perfetto the correct amount - and statutorily appropriate.

The state operates on a cash basis, not an accrual basis, and the money is to be calculated at the time it was received by Mr. Perfetto rather than for the period of time it was denied to him. Mr. Perfetto certainly paid taxes on the salary in the year it was received.

Please feel free to give me a call at the above number or contact me via email at sam@kevenmckennapc.com.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Samuel Kennedy-Smith', with a large, sweeping flourish extending to the right.

Samuel Kennedy-Smith, Esquire

cc:

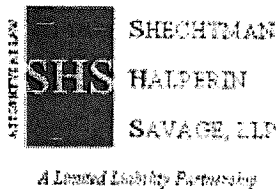
Michael P. Robinson, Esq.
John H. McCann, Esq.
Shechtman Halperin Savage LLP
1080 Main Street
Pawtucket, RI, 02860

MAMBRO MARTIN, Gayle

From: Michael P. Robinson <mrobinson@shslawfirm.com>
Sent: Friday, September 12, 2014 2:34 PM
To: Teresa M. Rusbino; kevenm@kevenmckennapc.com
Cc: Karpinski, Frank; MAMBRO MARTIN, Gayle; Donoyan, Roxanne; pgorman@kevenmckennapc.com
Subject: RE: Perfetto v. ERSRI
Attachments: 2014-09-12 pre-hearing statement of ersri.pdf

In accordance with the directive below, attached is a copy of the Retirement System's pre-hearing position statement in this matter. Please let me know if you have any questions, and I will look forward to seeing you on September 18 at 2PM.

Michael P. Robinson
Attorney at Law
www.shslawfirm.com



1030 Main Street
Pawtucket, RI 02860
Ph 401-272-1400
Fx 401-272-1403

This e-mail message is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error, or are not the named recipient(s), please immediately notify sender and delete this e-mail message from your computer.

From: Teresa M. Rusbino [<mailto:tmrri@aol.com>]
Sent: Wednesday, August 06, 2014 11:16 AM
To: Michael P. Robinson; kevenm@kevenmckennapc.com
Cc: fkarpinski@ersri.org; gmambro@ersri.org; rdonoyan@ersri.org; pgorman@kevenmckennapc.com
Subject: Perfetto v. ERSRI

Good morning, Gentlemen:

This e-mail shall serve as formal confirmation that a hearing in the matter of the appeal of *Robert Perfetto v. ERSRI* has been scheduled for **Thursday, September 18, 2014, at 2:00 pm in the small conference room of the offices of the Employees' Retirement System of Rhode Island**, 50 Service Avenue, 2nd Floor, Warwick, Rhode Island.

Please be advised that pre-hearing memoranda of law are due on or before Monday, September 15th. Should either of you have any questions in this matter, please do not hesitate to contact me.

Best regards,

Teresa M. Rusbino
Hearing Officer

Teresa M. Rusbino
P.O. Box 8767
Cranston, Rhode Island 02920-0767
401-741-7378 (cell)
tmrri@aol.com



SHECHTMAN

HALPERIN

SAVAGE, LLP

A Limited Liability Partnership

Michael P. Robinson
mrobinson@shslawfirm.com

September 12, 2014

Teresa M. Rusbino, Esq.
Law Office of Teresa Rusbino
P.O. Box 8767
Cranston, RI 02920-0767

**Re: Robert Perfetto vs. Employees' Retirement System
of the State of Rhode Island**

Dear Hearing Officer Rusbino:

Thank you for your email dated August 6, 2014 with respect to the above-referenced matter, and please allow this to confirm my understanding that this matter has been scheduled for a hearing on Thursday, September 18, 2014 at 2:00 p.m. at the office of the Employees' Retirement System of the State of Rhode Island (the "Retirement System"), 50 Service Avenue, Warwick, RI. Please also allow this correspondence to outline the position of the Retirement System with regard to Mr. Perfetto's claim that he is entitled to have back pay for the years 2007-2009 and received in 2010 included in his pension benefit.

Mr. Perfetto retired on August 1, 2013. Given his eligibility under the Rhode Island General Laws, the calculation of his Final Average Compensation was based on the three (3) consecutive years when his compensation was highest. Prior to his retirement, Mr. Perfetto was provided with a benefits estimate from the Retirement System which incorrectly included a \$55,755.00 lump sum payment that Mr. Perfetto had received representing a back pay award, as part of his Final Average Compensation. The Retirement System thereafter discovered the error, and notified Mr. Perfetto that the lump sum payment had been incorrectly posted to his account in 2010, when it was received, when it should have been applied to the years it was earned.

In January 2014, Mr. Perfetto filed a Complaint in the Providence County Superior Court setting forth the same claims he is raising in this administrative proceeding. A copy of the Complaint is attached as Exhibit A. In June 2014, Mr. Perfetto's Complaint was dismissed by an Order of the Superior Court, based upon his failure to exhaust his administrative remedies. A copy of the Order and Judgment are attached as Exhibit B. Shortly prior to the Superior Court's decision, the Retirement System's Executive Director wrote to Mr. Perfetto's counsel explaining the Retirement System's refusal to allocate the back pay Mr. Perfetto had received in a manner

1080 Main Street
Pawtucket, Rhode Island 02860
p 401.272.1400 f 401.272.1403

www.shslawfirm.com

inconsistent with statute, which letter constituted the Retirement System's official notification of an administrative denial. A copy of the Executive Director's Letter is attached hereto as Exhibit C. Accordingly, Mr. Perfetto was informed that this Hearing Officer was assigned to his contested matter and hearing on his claims was duly scheduled.

It is the position of the Retirement System that R.I.G.L. § 36-8-1(5)(a) and §36-8-1(8) are clear and unambiguous and do not permit the back pay Mr. Perfetto received in 2010 for 2007 – 2009 service to be included in his Final Average Compensation. Section 36-8-1(5)(a) reads as follows:

"Average compensation" for members eligible to retire as of September 30, 2009 shall mean the average of the highest three (3) consecutive years of compensation, within the total service when the average compensation was the highest. For members eligible to retire on or after October 1, 2009, "Average compensation" shall mean the average of the highest five (5) consecutive years of compensation within the total service when the average compensation was the highest.

"Compensation" is defined in R.I.G.L. § 36-8-1(8):

"Compensation" as used in chapters 8 -- 10 of this title, chapters 16 and 17 of title 16, and chapter 21 of title 45 shall mean salary or wages **earned and paid** for the performance of duties for covered employment, including regular longevity or incentive plans approved by the board, but shall not include payments made for overtime or any other reason other than performance of duties, including but not limited to the types of payments listed below:

- (i) Payments contingent on the employee having terminated or died;
- (ii) Payments made at termination for unused sick leave, vacation leave, or compensatory time;
- (iii) Payments contingent on the employee terminating employment at a specified time in the future to secure voluntary retirement or to secure release of an unexpired contract of employment;
- (iv) Individual salary adjustments which are granted primarily in anticipation of the employee's retirement;
- (v) Additional payments for performing temporary or extra duties beyond the normal or regular work day or work year.

(Emphasis added). Mr. Perfetto's back pay was not earned in 2010. The statute clearly contemplates that to be included in "compensation" for purposes of determining a member's

Final Average Compensation, a payment must be **both** earned and paid within the relevant period.

When a statute is clear and unambiguous, courts are bound to ascribe the plain and ordinary meaning of the words of the statute and the inquiry is at an end. *McCulloch v. McCulloch*, 69 A.3d 810, 819 (R.I. 2013); quoting *Town of Burrillville v. Pascoag Apartment Associates, LLC*, 950 A.2d 435, 445 (R.I. 2008). Courts do, and the Hearing Officer also must, presume that the General Assembly intended to attach significance to every word, sentence and provision of a statute. *Ret. Bd. of the Employees' Ret. Sys. of R.I. v. DiPrete*, 845 A.2d 270, 279 (R.I. 2004). To interpret the statute in the manner proposed by Perfetto, one would have to presume that the legislature's choice of defining compensation as monies "earned and paid" was meaningless, in that it could also mean "earned or paid." When presented with a clear and unambiguous enactment, there is no room for statutory construction, and the statute will be literally applied, attributing the plain and ordinary meaning to its words. *Interstate Navigation Co. v. Division of Public Utilities and Carriers*, 824 A.2d 1282, 1287 (R.I. 2003).

Perfetto's Complaint alleged a contract was created by virtue of the Benefits Estimate form. In determining the existence of an enforceable contract an offer and acceptance are indispensable to contract formation, and without such assent a contract is not formed. *Haviland v. Simmons*, 45 A.3d 1246, 1257-1258 (R.I. 2012). Under no circumstances could the Benefits Estimate be deemed an offer as by its own terms it was merely an estimate. As such, no enforceable contract arose from the Benefits Estimate form. Estoppel claims by Perfetto would also fail as the Rhode Island Supreme Court has consistently held that estoppel claims will not be upheld against a governmental unit where an employee's actions are contrary to statute. *Waterman v. Caprio*, 983 A.2d 841, 846 (R.I. 2009); see also, *Romano v. Retirement Bd. of the Employees' Retirement Sys.*, 767 A.2d 35, 43 (R.I. 2001); *Technology Investors v. Town of Westerly*, 689 A.2d 1060, 1061-1062 (R.I. 1997). The Rhode Island Supreme Court has stated that: "[i]ndeed, to rule otherwise would undermine the integrity and structure of our state government, because it would allow every government official to act as his own mini-legislature, cashiering those laws he or she dislikes, is ignorant of, or misinterprets, and instead molding the law to be whatever the government official claims it to be." *Romano*, 767 A.2d at 43.

As you know, the Retirement System's interpretation of the statutes it is entrusted with administering is entitled to substantial deference, even if the agency's interpretation is not the only permissible interpretation that could be applied. *Lyman v. Employee's Retirement Sys.*, 693 A.2d 1030, 1031 (R.I. 1997). The Rhode Island Supreme Court has consistently held that an administrative agency will be accorded great deference in interpreting a statute whose administration and enforcement have been entrusted to the agency. *Town of Richmond v. R.I. Dep't of Env'tl. Mgmt.*, 941 A.2d 151, 157 (R.I. 2008).

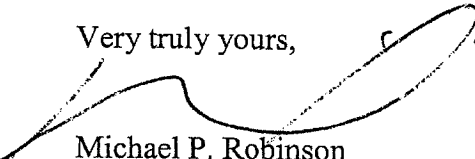
In Chapter 8 of Title 36, the Legislature vested "the general administration and the responsibility for the proper operation of the retirement system" of Rhode Island in the Retirement Board. R.I.G.L. §36-8-3. The Retirement Board has been endowed by the Legislature with a broad grant of authority over the state retirement system. See *Iselin v. Ret. Bd. of the Emples. Ret. Sys.*, R.I. Super. LEXIS 75, *aff'd* at 943 A.2d 1045 (R.I. 2008), quoting *Perotti v.*

Solomon, 657 A.2d 1045, 1047-48 (R.I. 1995). “The retirement board [] possesses the power to ‘establish rules and regulations’ for the administration and transaction of the retirement system and may ‘perform other such functions as are required’ for the administration of the retirement system.” *Perotti*, 657 A.2d at 1048, quoting R.I.G.L. § 36-8-3. The Retirement System routinely interprets the statutes it has been entrusted with administering, and has endeavored to administer the disability statutes consistently with one another and with the intent of the General Assembly, as required by law.

Here, Mr. Perfetto's lump sum payment was received in 2010, but represented “back pay” for the years 2007-2009. Accordingly, it cannot be included in Mr. Perfetto’s pension benefit calculation without artificially bloating his benefit, as it was not earned and paid within the statutory period. This position is consistent with both decisional authority from the Rhode Island Superior Court, and interpretations afforded by other administrative hearing officers. *See, e.g., R.I. Federation of Teachers v. The Employees Retirement System of Rhode Island, et al.*, 1994 R.I. Super. LEXIS 63 (Bourcier, J.) (holding that the Retirement System was not required to include deferred teacher compensation as part of total compensation for the year in which it was paid, as opposed to the year in which it was earned. The Court stated that “[t]he effect of that action would of course serve to bloat and distort the retiring schoolteacher’s annual salary and consequently result in an increase in the teachers’ retirement benefit.”). *See also, Asselin v. ERSRI*, 1998 (Hearing Officer E. Giannini) (affirming administration decision to exclude monies from Final Average Compensation that were not earned within the statutory period. “The statute in question mandates a two-prong requirement in order to include compensation in the calculation of ‘average compensation.’ It is required that the salary or wages earned are paid for the performance of duties.”) (emphasis in original); *Ralph Defelice, et al. v. ERSRI*, 1998 (Hearing Officer C. Koutsogiane) (“to...allow Petitioners the right to apply lump sum amounts of retroactive pay for past services towards average compensation, simply because of an administrative delay in processing the receipt of that payment, is not equitable to all members of the pension system and does not seem to comport with the legislative intent.”). Accordingly, the Executive Director’s decision in this action is well-supported by the plain and unambiguous statutory language, as well as by judicial and administrative decisional authority, and should accordingly be affirmed.

I look forward to presenting this position to you in person on September 23, 2014. Please do not hesitate to contact me should you have any questions or concerns prior to that time. Kindest regards.

Very truly yours,



Michael P. Robinson

cc: Keven A. McKenna, Esq.
Frank J. Karpinski, Executive Director
Gayle Mambro-Martin, Esq.

charge of administration of the retirement system and serves as Secretary to the Retirement Board. The Employees' Retirement System of the State of Rhode Island and the Retirement Board are hereinafter collectively referred to as the "Retirement System".

Jurisdiction

4. This Honorable Court has jurisdiction over this controversy pursuant to section 1 and 2 of Article X of the R.I. State Constitution and R.I.G.L. §§8-6-13 (equity) and 8-6-14 (law), and R.I.G.L. §9-30-1, et seq (Uniform Declaratory Judgment Act).

Facts:

5. The Plaintiff was born on _____.
6. The Plaintiff's base entry and hire date was restored to September 8, 1987 pursuant to a Superior Court Judgment, C.A. No. 09-2428 and his back pay of \$55,775 was awarded on June 23, 2010.
7. Plaintiff is entitled to certain benefits of retirement upon reaching the standards for retirement as they existed on September 30, 2009 ("Group A"), including "average compensation" being ...the average of the highest three (3) consecutive years of compensation..” as per R.I.G.L. §36-8-1.
8. On August 1, 2013 the Plaintiff retired from the Employment System based upon calculations as a Group A member and as set forth in that certain "Benefits Estimate" prepared by John P. Midgley of the Retirement System, in his clerical capacity pursuant to R.I.G.L. §§36-8-1 and 36-8-10, during a meeting initiated by the Plaintiff to determine his retirement income should he desire to retire at this time.

9. Plaintiff relied on the calculation of the monthly retirement benefit which he was informed he would receive and based upon said information, Plaintiff concluded that retirement was an option at this time.
10. Thereinafter the Treasurer's office mailed the incorrect statutory sum due for the monthly retirement check of the Plaintiff from the Treasury account of the Defendant, the Retirement System.
11. The retirement check received by Plaintiff was incorrect in that it was approximately \$1,000 less than the calculations set forth in the Benefits Estimate presented to Plaintiff at the time he entered into the retirement contract. When Plaintiff questioned the discrepancy, he was informed that "an error was made" in the calculation of benefits.
12. But for the incorrect calculation of his retirement benefits, the Plaintiff would not have retired and the Defendants are equitably estopped from not paying the amount of monthly retirement sums promised and relied upon by the Retirement System.
13. Had the Retirement System not promised the incorrect monthly benefit, Plaintiff would not have retired and would have continued working.
14. The false fact presented by the Employee Retirement System induced the Plaintiff to enter into a retirement contract; thus, the Plaintiff's retirement contract is void based on such misrepresentation of a material fact for which the Plaintiff relied upon.

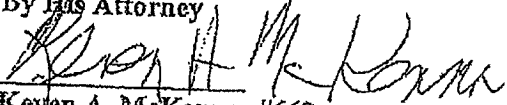
Wherefore, Plaintiff demands the following alternative forms of relief:

- (i) Order the Treasurer and the Retirement System to abide by the Benefits Estimate and pay the Plaintiff the correct monthly sum in accordance with statute, plus interest;

- (ii) In the alternative, declare the retirement contract void and order that the Plaintiff be rehired as of August 1, 2013 as if he had not been falsely induced to retire and that he be awarded a retroactive credit for income he would have earned, plus interest.
- (iii) Plaintiff be awarded counsel fees and costs.
- (iv) Provide such other relief which is just and equitable.

Plaintiff

By His Attorney

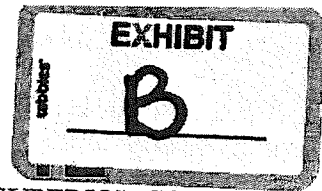


Kevin A. McKenna, #662

23 Acorn Street

Providence, Rhode Island 02903

401 273-8200 Tel.



SUPERIOR COURT

STATE OF RHODE ISLAND
PROVIDENCE, SC.

Robert Perfetto,
Plaintiff,

v.

Employees' Retirement System
Of Rhode Island and Gino Raimondo,
in her capacity as General Treasurer
of the State of Rhode Island and
Rhode Island Retirement Board,
Defendants.

C.A. No.: 13-5811

ORDER

This matter was scheduled for hearing on June 10, 2014, on the Employees' Retirement System of the State of Rhode Island ("ERSRI")'s motion to dismiss the Plaintiff's complaint pursuant to Superior Court Rules of Civil Procedure 12(b)(1) and 12(b)(6), and Plaintiff's objection thereto, Montalbano, J. presiding. After hearing thereon, and in consideration thereof, it is hereby Ordered:

1. ERSRI's motion to dismiss is granted for the reasons set forth on the record, and this matter is hereby dismissed without prejudice;
2. In connection with dismissal of this action without prejudice, the Court hereby directs ERSRI to afford Plaintiff the procedures available to him in accordance with promulgated regulations for the administrative resolution of contested cases, and ERSRI shall not refuse to provide Plaintiff access to any such available procedures based upon any claimed failure to request administrative review in a timely fashion;

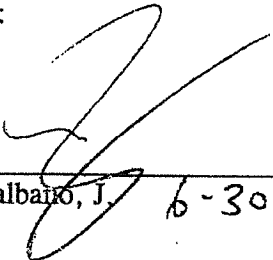
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SUPERIOR COURT
FILED
MARY S. FINCH JR., CLERK

3. Judgment shall enter in favor of ERSRI consistent with the terms of this Order.

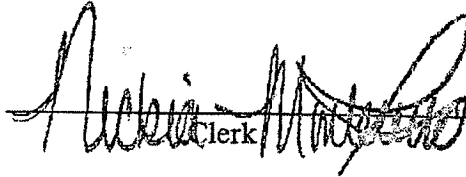
Entered as an Order of the Court this 30 day of June, 2014.

Enter:

Per Order,




Montalban, J. 6-30-14



Clerk

Niekla M. Montoiro, Deputy Clerk


Presented by:



Michael P. Robinson, Esq. R.I. Bar No.6306
Shechtman Halperin Savage, LLP
1080 Main Street
Pawtucket, RI 02860
(401) 272-1400
(401) 272-1403 (fax)
mrobinson@shslawfirm.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing *Order*, was furnished via first class mail to Keven A. McKenna, Esq., 23 Acorn Street, Providence, Rhode Island, 02903, and Assistant Attorney General Thomas A. Palombo, Esq., 150 South Main Street, Providence, Rhode Island, 02903, on this 30 day of June 2014.



STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

Robert Perfetto,)
Plaintiff,)
)
v.)
)
Employees' Retirement System)
Of Rhode Island and Gino Raimondo,)
in her capacity as General Treasurer)
of the State of Rhode Island and)
Rhode Island Retirement Board,)
Defendants.)

C.A. No.: 13-5811

JUDGMENT

Judgment hereby enters in favor of the Defendant, the Employees' Retirement System of the State of Rhode Island ("ERSR I"), and against the Plaintiff, consistent with the terms of the Order entered herewith, and this matter is hereby dismissed without prejudice.

Entered as a Judgment of the Court this 30th day of July, 2014.

Enter:

Montalbano, J.

6-30-14

Presented by:

Michael P. Robinson, Esq. R.I. Bar No.6306
Shechtman Halperin Savage, LLP
1080 Main Street
Pawtucket, RI 02860
(401) 272-1400
(401) 272-1403 (fax)
mrobinson@shslawfirm.com

Per Order,

Clerk

Nickia M. Monteiro, Deputy Clerk

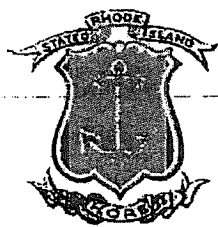
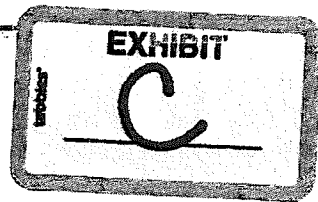
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FILED
SUPERIOR COURT
CORY S. KINCH JR., CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing *Judgment*, was furnished via first class mail to Keven A. McKenna, Esq., 23 Acom Street, Providence, Rhode Island, 02903, and Assistant Attorney General Thomas A. Palombo, Esq., 150 South Main Street, Providence, Rhode Island, 02903, on this 30 day of June 2014.

A handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to be the name of the certifier.



Employees' Retirement System of Rhode Island

ERSRI Board:

June 20, 2014

Gina M. Raimondo
*General Treasurer
Chair*

Keven A. McKenna
23 Acorn Street
Providence, RI 02903

William B. Finelli
Vice Chair

Gary R. Alger

RE: Robert Perfetto

Daniel L. Beardsley

Dear Attorney McKenna:

Frank R. Benell, Jr.

Roger P. Boudreau

Michael R. Boyce

Mark A. Carruolo

Richard A. Licht

John P. Maguire

John J. Meehan

Thomas A. Mullaney

Claire M. Newell

Louis M. Prata

Jean Rondeau

We write regarding the above retiree and his request to have a lump sum retroactive payment he received from his employer which represented "back pay in the amount of \$55,775.00" for the years 2007-2009 be used in the calculation of his pension benefit. This request cannot be granted.

Mr. Perfetto retired on August 1, 2013. Given his eligibility under Rhode Island General Law (RIGL), the calculation of his Final Average Compensation was based on three (3) consecutive years where compensation was the highest. Specifically, the 78 consecutive pay periods during 2010-2013 where compensation was **earned and paid** as provided in RIGL.

The Employees' Retirement System of Rhode Island (ERSRI) received a copy of the Consent Order from the Superior Court which sets forth the amount of back pay to be made to Mr. Perfetto, the period covered and the reasons for the payment. The sum paid in the amount of \$55,775.00 reflects moneys received and earned for the school years from 2007 through 2009.

Rhode Island General Laws define average compensation and provides the following:

RIGL §36-8-1 (5)(a) "Average compensation" for members eligible to retire as of September 30, 2009 shall mean the average of the highest three (3) consecutive years of compensation, within the total service when the average compensation was the highest. For members eligible to retire on or after October 1, 2009, "Average compensation" shall mean the average of the highest five (5) consecutive years of compensation within the total service when the average compensation was the highest.

Frank J. Karpinski
Executive Director

The term "compensation" is defined as the following:

RIGL §36-8-1(8) "Compensation" as used in chapters 8 -- 10 of this title, chapters 16 and 17 of title 16, and chapter 21 of title 45 shall mean salary or base wages earned and paid for the performance of duties for covered employment, including regular longevity or incentive plans approved by the board, but shall not include payments made for overtime or any other reason other than performance of duties, including but not limited to the types of payments listed below:

- (i) Payments contingent on the employee having terminated or died;
- (ii) Payments made at termination for unused sick leave, vacation leave, or compensatory time;
- (iii) Payments contingent on the employee terminating employment at a specified time in the future to secure voluntary retirement or to secure release of an unexpired contract of employment;
- (iv) Individual salary adjustments which are granted primarily in anticipation of the employee's retirement;
- (v) Additional payments for performing temporary or extra duties beyond the normal or regular work day or work year.

As you can see the statutory definition of compensation provides for salary "earned and paid".

Since the documents produced show that the earnings were for the performance of duties outside of the calculation period, even though they were received within the calculation period, consistent with RIGL, these payments were not used to calculate Mr. Peretto's pension benefit.

This letter constitutes official notification of an administrative denial. Pursuant to Regulation No. 4, Rules of Practice and Procedure for Hearings of the Employees' Retirement System of Rhode Island, Section 3.00, any member aggrieved by an administrative action may request a hearing before the Retirement Board. Upon such request, the matter will be deemed a contested case. Such request shall be in writing and shall be sent to the Retirement Board, 50 Service Avenue, 2nd Floor, Warwick, RI 02886, Attention: Frank J. Karpinski, Executive Director, within 60 days of date of the letter from the Executive Director or Assistant Executive Director constituting a formal administrative denial. A request for hearing shall be signed by the member and shall contain the name of the member; date and nature of decision to be contested; a clear statement of the objection to the decision which

~~must include the reasons the member feels he or she is entitled to relief; and a~~
concise statement of the relief sought. Failure to strictly comply with the procedures
outlined above shall be grounds to deny a request for a hearing.

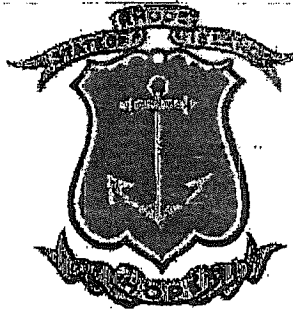
Sincerely,



Frank J. Karpinski
Executive Director

Enclosure: Employees' Retirement System of Rhode Island and Municipal
Employees' Retirement System Rule and Regulations No. 4

Cc: Robert Perfetto



**Employees' Retirement System of the State of Rhode Island
And
Municipal Employees' Retirement System
Of The State of Rhode Island**

Regulation No. 4

Rules of Practice and Procedure for Hearings in Contested Cases

Revised: May 12, 2010

Effective: August 26, 2010

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Section 1 Introduction

These Rules of Practice and Procedure are promulgated pursuant to R.I. General Laws Section 36-8-3. The Rules shall be in effect during any hearing on a contested case before the Retirement Board or its duly authorized representatives.

Section 2 Definitions

- (1) The definitions set forth in R.I. General Laws Sections 36-8-1, 45-21-2, 45-21.2-2 and 16-16-1, and as further set forth in Regulations promulgated by the Retirement Board, are specifically incorporated by reference herein.
- (2) "Contested case" means a matter for which a member requests a hearing because he or she is aggrieved by an administrative action other than a Disability decision. The term shall apply to hearings conducted before Hearing Officers, and thereafter in proceedings before the full Retirement Board.
- (3) "Party" means any member, beneficiary, Retirement System, or such other person or organization deemed by the Hearing Officer to have standing.
- (4) "Hearing Officer" means an individual appointed by the Retirement Board to hear and decide a contested case.

Section 3 Request for Hearing and Appearance

- (1) Any member aggrieved by an administrative action other than a Disability decision, may request a hearing of such grievance. Upon such request, the matter will be deemed a contested case. The procedure for Disability decisions and appeals therefrom shall be governed by the procedures set forth in Regulation Number 9, Rules Pertaining to the Application to Receive an Ordinary or Accidental Disability Pension.
- (2) Such request shall be in writing and shall be sent to the Retirement Board within sixty (60) days of the date of a letter from the Executive Director or Assistant Executive Director constituting a formal administrative denial.
- (3) A request for hearing shall be signed by the member and shall contain the following information:
 - i. Name of member;
 - ii. Date and nature of decision being contested;
 - iii. A clear statement of the objection to the decision which must include the reasons the member feels he or she is entitled to relief; and
 - iv. A concise statement of the relief sought.
- (4) Requests for hearing should be sent to the Retirement Board at 50 Service Avenue, 2nd Floor, Warwick, RI 02886-1021.

- (5) Failure to strictly comply with the procedures outlined in this Section shall be grounds to deny any request for a hearing.

Section 4 Contested Cases – Notice of Hearing

- (1) Upon receipt of a request for hearing in matters other than Disability decisions and appeals therefrom, the Retirement Board or its designee shall appoint a Hearing Officer. The appointed Hearing Officer shall hear the matter, find facts and offer conclusions of law to the Retirement Board. The decision of a Hearing Officer shall be subject to approval by the full Retirement Board. The Retirement System's action shall not be deemed final until such time as the Hearing Officer's recommendation has been voted upon by the Retirement Board.
- (2) Within forty-five (45) days after receipt by the Retirement Board of a request for hearing, the Retirement Board shall give notice that the matter has been assigned to a Hearing Officer for consideration.
- (3) In any contested case, all parties shall be afforded an opportunity to be heard after reasonable notice.
- (4) The notice described in subsection (2), above, shall include:
- i. A statement of the time, place, and nature of the hearing;
 - ii. A statement of the legal authority and jurisdiction under which the hearing is to be held;
 - iii. A reference to the particular sections of the statutes and rules involved;
 - iv. The name, official title and mailing address of the Hearing Officer, if any;
 - v. A statement of the issues involved and, to the extent known, of the matters asserted by the parties; and
 - vi. A statement that a party who fails to attend or participate in the hearing may be held to be in default and have his or her appeal dismissed.
- (5) The notice may include any other matters the Hearing Officer or the Retirement Board considers desirable to expedite the proceedings.

Section 5 Contested Cases – Hearings in General

- (1) All parties shall be afforded an opportunity to respond and present evidence and argument on all issues involved.
- (2) Members must appear at hearings either personally, or by appearance of legal counsel. Members may represent themselves or be represented by legal counsel at their own expense. Consistent with RIGL §11-27-2 entitled, "Practice of law", any person accompanying the member who is not a lawyer (certified member of the bar of the State of Rhode Island) cannot represent the member in the hearing.

- (3) Continuances and postponements may be granted by the Hearing Officer or the Retirement Board at their discretion.
- (4) Disposition may be made of any contested case by stipulation, agreed settlement, consent order or default.
- (5) Should the Hearing Officer or Retirement Board determine that written memoranda are required, the member will be notified by the Hearing Officer or the Retirement Board of the need to file a written document which discusses the issues of the case. Memoranda of law may always be offered in support of arguments offered by the member or the representative of the retirement systems.
- (6) The Executive Director may, when he or she deems appropriate, retain independent legal counsel to prosecute any contested case.
- (7) A recording of each hearing shall be made. Any party may request a transcript or copy of the tape at their own expense.

Section 6 Contested Cases - Conduct of Hearings before Hearing Officers

- (1) Hearings shall be conducted by the Hearing Officer who shall have authority to examine witnesses, to rule on motions, and to rule upon the admissibility of evidence.
- (2) The Hearing shall be convened by the Hearing Officer. Appearances shall be noted and any motions or preliminary matters shall be taken up. Each party shall have the opportunity to present its case generally on an issue by issue basis, by calling and examining witnesses and introducing written evidence.
- (3) The Member shall first present his or her case followed by presentation of the Retirement System's case.
- (4) The Hearing Officer shall have the authority to continue or recess any hearing and to keep the record open for the submission of additional evidence.
- (5) If for any reason a Hearing Officer cannot continue on a case, another Hearing Officer will be appointed who will become familiar with the record and perform any function remaining to be performed without the necessity of repeating any previous proceedings in the case.
- (6) Each party shall have the opportunity to examine witnesses and cross-examine opposing witnesses on any matter relevant to the issues in the case.
- (7) Any objections to testimony or evidence and the basis for the objection shall be made at the time the testimony or evidence is offered.
- (8) The Hearing Officer may question any party or any witness for the purpose of clarifying their understanding or to clarify the record.
- (9) The scope of hearing shall be limited to those matters specifically outlined in the request for hearing.

- (10) Written evidence will be marked for identification. If the original is not readily available, written evidence may be received in the form of copies or excerpts. Upon request, parties shall be given an opportunity to compare the copy with the original.
- (11) Findings of fact shall be based solely on the evidence and matters officially noticed.
- (12) If a member fails to attend or participate in the hearing as requested, the Hearing Officer may default such member and dismiss his or her appeal with prejudice.

Section 7 Contested Cases – Record of Proceedings before Hearing Officers

The record in a contested case shall include:

- (1) All pleadings, motions, intermediate rulings;
- (2) Evidence received or considered;
- (3) A statement of matters officially noticed;
- (4) Questions and offers of proof and rulings thereon;
- (5) Proposed findings and exceptions;
- (6) Any decision, opinion, or report by the Hearing Officer at the hearing;
and
- (7) All staff memoranda or data submitted to the Hearing Officer in connection with their consideration of the case.

Section 8 Ex Parte Communications (Communications by one party)

There shall be no communications between the Hearing Officer and either a member, the Retirement System or the Retirement Board, or any of their representatives regarding any issue of fact or law in a case, without notice and opportunity for all parties to participate. There shall be no written communications by any party that are not transmitted at the same time to all parties.

Section 9 Rules of Evidence in Contested Cases:

Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. The rules of evidence as applied in civil cases in the superior courts of this state shall be followed. Evidence not usually admitted under the rules of evidence for civil cases may be admitted where it is shown that such evidence is necessary to ascertain facts not capable of being proved otherwise. The Hearing Officer and the Retirement Board shall give effect to the rules of privilege (such as attorney/client privilege) recognized by law. Objections to evidence may be made and shall be noted in the record. Any part of the evidence may be received in written form when a hearing needs to be expedited and the interests of the parties will not be hurt substantially.

Section 10 Final Decision and Member Right of Appeal

- (1) Within twenty-five (25) days after receipt of the Hearing Officer's recommendation, a copy thereof shall be served upon all parties to the proceeding and each party shall be notified of the time and place when the matter shall be considered by the Retirement Board. Each party to the proceeding shall be given the right to make exceptions, to file briefs and to make oral arguments before the Retirement Board. No additional evidence will be considered by the Retirement Board once the Hearing Officer has issued a recommendation. A party wishing to file a brief or make exceptions to the recommendation of the Hearing Officer shall be required to submit the same to the Executive Director not later than ten (10) days prior to the date when the Retirement Board is scheduled to hear and act upon the recommendation of the Hearing Officer. The aggrieved party and his or her representative shall have the right to appear before the Retirement Board and make oral argument at the time of such hearing. No new testimony will be taken, or evidence considered at this time. Consistent with RIGL §11-27-2 entitled, "Practice of law" any person accompanying the member who is not a lawyer (certified member of the bar of the State of Rhode Island), cannot represent the member before the Retirement Board. After consideration of the decision of the Hearing Officer and such other argument as shall be presented by any party to the proceeding, the Retirement Board shall vote on the recommendation of the Hearing Officer.
- (2) In the event of a tie vote of a quorum present and voting on a contested matter, the matter will automatically be placed on the agenda of the next Retirement Board meeting.

In the event of a tie vote of a quorum present and voting on a contested matter rescheduled from a prior meeting, the Retirement Board may vote to postpone and re-consider the matter at a subsequent hearing, when a larger number of voting members may be present. If no such vote to postpone and re-consider is taken, or if a vote to postpone and re-consider the matter at a later date fails, the underlying action appealed from will be deemed affirmed

Section 11 Requests for Rehearing

- (1) A request for rehearing which is submitted prior to the issuance of the Hearing Officer's recommendation should be made in writing. The request must detail the substance of any additional evidence to be offered, and the reason for the failure of the party to offer it at the prior proceedings.
- (2) A rehearing will be denied if the evidence does not bear on any issue in contest in the original proceedings, will not likely affect the final recommendation, or if the request appears to be merely for purposes of delaying a final decision. A second request for rehearing after the granting or denial of a prior request for rehearing will not be permitted.



Employees' Retirement System of Rhode Island

ERSRI Board: June 20, 2014

Gina M. Raimondo
General Treasurer
Chair

William B. Finelli
Vice Chair

Gary R. Alger

Daniel L. Beardsley

Frank R. Benell, Jr.

Roger P. Boudreau

Michael R. Boyce

Mark A. Carruolo

Richard A. Licht

John P. Maguire

John J. Meehan

Thomas A. Mullaney

Claire M. Newell

Louis M. Prata

Jean Rondeau

Frank J. Karpinski
Executive Director

Keven A. McKenna
23 Acorn Street
Providence, RI 02903

RE: Robert Perfetto v ERSRI

Dear Attorney McKenna:

In accordance with Rhode Island General Laws §36-8-3 and Regulation 4, Rules of Practice and Procedures for Hearings in Contested Cases, your request for a hearing has been assigned to:

HEARING OFFICER: Teresa M. Rusbino, Esquire
(401) 741-7378

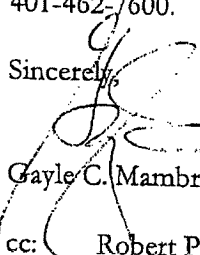
LOCATION: Employees Retirement System of Rhode Island
50 Service Avenue, 2nd Floor
Warwick, RI 02886

You should contact the hearing officer to arrange a mutually convenient time to hold the hearing. A party who fails to attend or participate in the hearing may be held to be in default and have his or her appeal dismissed with prejudice.

Members must appear at hearings either personally or by appearance of legal counsel. Consistent with RIGL §11-27-2 entitled, *Practice of law*, any person accompanying the member who is not a lawyer (certified member of the bar of the State of Rhode Island) cannot represent the member in the hearing.

Should you have any additional questions, please do not hesitate to contact me at 401-462-7600.

Sincerely,


Gayle C. Mambro-Martin, Esq.

cc: Robert Perfetto
Michael P. Robinson, Esq.

KEVEN A. MCKENNA

ATTORNEY AT LAW

Advocacy Since 1973

23 Acorn Street, Providence R.I. 02903

Tel: 401-273-8200 Fax: 401-521-5820 E-Mail: kevenm@kevenmckennapc.com

Keven A. McKenna
Samuel Kennedy-Smith*
Carleen Aubee*

* Also admitted in MA

September 8, 2014

Teresa M. Rusbino, Esquire
P.O. Box 8767
Cranston, Rhode Island
02920-0767

Re: Robert Perfetto v. ERSRI

CANo.: 2013-5811

Dear Attorney Rusbino:

We look forward to meeting with you for our hearing on September 18, 2014 at 2:00 pm.

The Plaintiff, Mr. Perfetto, went to Superior Court to vindicate his entitlement to back pay and benefits and was awarded \$55,775.00 in back pay on June 23, 2010 in Case Number 2009-2428. As Plaintiff retired on August 1, 2013, the \$55,775.00 in back pay was awarded in the last three years of his employment. Under R.I.G.L. § 36-8-1(5) “ (5) “Average compensation” for members eligible to retire as of September 30, 2009 shall mean the average of the highest three (3) consecutive years of compensation, within the total service when the average compensation was the highest.”

When Plaintiff first consulted John P. Midgley of the Retirement System, Plaintiff’s retirement benefits were properly calculated with the back pay awarded in 2010 credited to the date of receipt by the Plaintiff. At some point in time after that calculation, the Defendants decided that they would credit the back pay paid out in 2010 to the period of time when Plaintiff should have received it, thus lowering the average of the highest three years of compensation.

This somewhat complicated set of facts can be boiled down to one simple question: Under R.I.G.L. § 36-8-1(5), where the Plaintiff was awarded back pay, is the back pay calculated at the time of receipt by Plaintiff or is it be spread back over the years it should have been awarded for the sake of calculating retirement benefits?

It is Plaintiff’s position that the back pay must be credited to the time of receipt and that the Plaintiff is legally entitled to the higher benefits. This is both equitable - given the

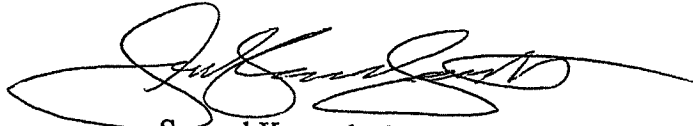
DATE RECEIVED BY SHS

9/15/14

Defendant's original refusal to pay Mr. Perfetto the correct amount - and statutorily appropriate.
The state operates on a cash basis, not an accrual basis, and the money is to be calculated at the time it was received by Mr. Perfetto rather than for the period of time it was denied to him. Mr. Perfetto certainly paid taxes on the salary in the year it was received.

Please feel free to give me a call at the above number or contact me via email at sam@kevenmckennapc.com.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Samuel Kennedy-Smith', with a large, sweeping flourish extending to the right.

Samuel Kennedy-Smith, Esquire

cc:

Michael P. Robinson, Esq.

John H. McCann, Esq.

Shechtman Halperin Savage LLP

1080 Main Street


Pawtucket, RI, 02860

MAMBRO MARTIN, Gayle

From: Michael P. Robinson <mrobinson@shslawfirm.com>
Sent: Monday, September 15, 2014 3:19 PM
To: Karpinski, Frank; MAMBRO MARTIN, Gayle
Subject: FW: Perfetto v. ERSRI
Attachments: 2014-09-08 pre-hearing statement of robert perfetto.pdf

Frank/Gayle—attached is Mr. Perfetto's pre-hearing position statement. Please let me know if you have any questions about the attached.


Mike

<p>Michael P. Robinson Attorney at Law www.shslawfirm.com</p>	 <p>A Limited Liability Partnership</p>	<p>SHECHTMAN HALPERIN SAVAGE, LLP</p> <p>1030 Main Street Pawtucket, RI 02860 Ph: 401-272-1400 Ex: 401-272-1403</p>
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From: Michael P. Robinson
Sent: Friday, September 12, 2014 2:34 PM
To: 'Teresa M. Rusbino'; kevenm@kevenmckennapc.com
Cc: fkarpinski@ersri.org; gmambro@ersri.org; rdonoyan@ersri.org; pgorman@kevenmckennapc.com
Subject: RE: Perfetto v. ERSRI

In accordance with the directive below, attached is a copy of the Retirement System's pre-hearing position statement in this matter. Please let me know if you have any questions, and I will look forward to seeing you on September 18 at 2PM.

<p>Michael P. Robinson Attorney at Law www.shslawfirm.com</p>	 <p>A Limited Liability Partnership</p>	<p>SHECHTMAN HALPERIN SAVAGE, LLP</p> <p>1030 Main Street Pawtucket, RI 02860 Ph: 401-272-1400 Ex: 401-272-1403</p>
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From: Teresa M. Rusbino [<mailto:tmrri@aol.com>]
Sent: Wednesday, August 06, 2014 11:16 AM
To: Michael P. Robinson; kevenm@kevenmckennapc.com
Cc: fkarpinski@ersri.org; gmambro@ersri.org; rdonoyan@ersri.org; pgorman@kevenmckennapc.com
Subject: Perfetto v. ERSRI

Good morning, Gentlemen:

This e-mail shall serve as formal confirmation that a hearing in the matter of the appeal of *Robert Perfetto v. ERSRI* has been scheduled for **Thursday, September 18, 2014, at 2:00 pm in the small conference room of the offices of the Employees' Retirement System of Rhode Island**, 50 Service Avenue, 2nd Floor, Warwick, Rhode Island.

Please be advised that pre-hearing memoranda of law are due on or before Monday, September 15th. Should either of you have any questions in this matter, please do not hesitate to contact me.

Best regards,

Teresa M. Rusbino
Hearing Officer

Teresa M. Rusbino
P.O. Box 8767
Cranston, Rhode Island 02920-0767
401-741-7378 (cell)
tmrri@aol.com

KEVEN A. MCKENNA

ATTORNEY AT LAW

Advocacy Since 1973

23 Acorn Street, Providence R.I. 02903

Tel: 401-273-8200 Fax: 401-521-5820 E-Mail: kevenm@kevenmckennapc.com

Keven A. McKenna
Samuel Kennedy-Smith*
Carleen Aubee*

* Also admitted in MA

July 3, 2014

Teresa M. Rusbino, Esq.
Employees Retirement System of Rhode Island
50 Service Avenue, 2nd Floor
Warwick, RI, 02886

Re: Robert Perfetto v. ERSRI


Dear Attorney Rusbino:

I am writing in response to a letter dated June 20, 2014 directing that my office contact you in regards to Mr. Perfetto. I just wanted to follow up on a voicemail I left you earlier this week to set up a hearing on this contested case.

Please feel free to give me or Attorney McKenna a call at the above number or contact me via email at sam@kevenmckennapc.com.

Hope you have a great Fourth of July weekend.

Very truly yours,



Samuel Kennedy-Smith, Esquire

ERSRI
2014 JUL -7 AM 11:56

Keven A McKenna
23 Acorn Street
Providence, RI 02903

neopostSM
07/03/2014

US POSTAGE

FIRST-CLASS MAIL

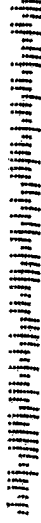
\$00.48⁹



ZIP 02903
041113808136

*Teresa M. Quirino, Esq.
ERS of RI
50 Service Avenue, 2nd floor
Warwick, RI 02888*

02888102150





Employees' Retirement System of Rhode Island

ERSRI Board: June 20, 2014

Gina M. Raimondo
General Treasurer
Chair

William B. Finelli
Vice Chair

Gary R. Alger

Daniel L. Beardsley

Frank R. Benell, Jr.

Roger P. Boudreau

Michael R. Boyce

Mark A. Carruolo

Richard A. Licht

John P. Maguire

John J. Meehan

Thomas A. Mullaney

Claire M. Newell

Louis M. Prata

Jean Rondeau

Frank J. Karpinski
Executive Director

Keven A. McKenna
23 Acorn Street
Providence, RI 02903

RE: Robert Perfetto v ERSRI

Dear Attorney McKenna:

In accordance with Rhode Island General Laws §36-8-3 and Regulation 4, Rules of Practice and Procedures for Hearings in Contested Cases, your request for a hearing has been assigned to:

HEARING OFFICER: Teresa M. Rusbino, Esquire
(401) 741-7378

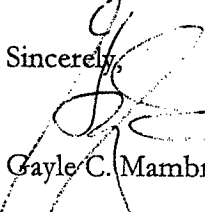
LOCATION: Employees Retirement System of Rhode Island
50 Service Avenue, 2nd Floor
Warwick, RI 02886

You should contact the hearing officer to arrange a mutually convenient time to hold the hearing. A party who fails to attend or participate in the hearing may be held to be in default and have his or her appeal dismissed with prejudice.

Members must appear at hearings either personally or by appearance of legal counsel. Consistent with RIGL §11-27-2 entitled, *Practice of law*, any person accompanying the member who is not a lawyer (certified member of the bar of the State of Rhode Island) cannot represent the member in the hearing.

Should you have any additional questions, please do not hesitate to contact me at 401-462-7600.

Sincerely,


Gayle C. Mambro-Martin, Esq.

cc: Robert Perfetto
Michael P. Robinson, Esq.



Employees' Retirement System of Rhode Island

ERSRI Board:

June 20, 2014

Gina M. Raimondo
General Treasurer
Chair

Keven A. McKenna
23 Acorn Street
Providence, RI 02903

William B. Finelli
Vice Chair

RE: Robert Perfetto

Gary R. Alger

Daniel L. Beardsley

Dear Attorney McKenna:

Frank R. Benell, Jr.

We write regarding the above retiree and his request to have a lump sum retroactive payment he received from his employer which represented "back pay in the amount of \$55,775.00" for the years 2007-2009 be used in the calculation of his pension benefit. This request cannot be granted.

Roger P. Boudreau

Michael R. Boyce

Mark A. Carruolo

Richard A. Licht

John P. Maguire

John J. Meehan

Thomas A. Mullaney

Mr. Perfetto retired on August 1, 2013. Given his eligibility under Rhode Island General Law (RIGL), the calculation of his Final Average Compensation was based on three (3) consecutive years where compensation was the highest. Specifically, the 78 consecutive pay periods during 2010-2013 where compensation was **earned** and **paid** as provided in RIGL.

Claire M. Newell

Louis M. Prata

Jean Rondeau

The Employees' Retirement System of Rhode Island (ERSRI) received a copy of the Consent Order from the Superior Court which sets forth the amount of back pay to be made to Mr. Perfetto, the period covered and the reasons for the payment. The sum paid in the amount of \$55,775.00 reflects moneys received and earned for the school years from 2007 through 2009.

Frank J. Karpinski
Executive Director

Rhode Island General Laws define average compensation and provides the following:

RIGL §36-8-1 (5)(a) "Average compensation" for members eligible to retire as of September 30, 2009 shall mean the average of the highest three (3) consecutive years of compensation, within the total service when the average compensation was the highest. For members eligible to retire on or after October 1, 2009, "Average compensation" shall mean the average of the highest five (5) consecutive years of compensation within the total service when the average compensation was the highest.

The term "compensation" is defined as the following:

RIGL §36-8-1(8) "Compensation" as used in chapters 8 -- 10 of this title, chapters 16 and 17 of title 16, and chapter 21 of title 45 shall mean salary or base wages earned and paid for the performance of duties for covered employment, including regular longevity or incentive plans approved by the board, but shall not include payments made for overtime or any other reason other than performance of duties, including but not limited to the types of payments listed below:

- (i) Payments contingent on the employee having terminated or died;
- (ii) Payments made at termination for unused sick leave, vacation leave, or compensatory time;
- (iii) Payments contingent on the employee terminating employment at a specified time in the future to secure voluntary retirement or to secure release of an unexpired contract of employment;
- (iv) Individual salary adjustments which are granted primarily in anticipation of the employee's retirement;
- (v) Additional payments for performing temporary or extra duties beyond the normal or regular work day or work year.

As you can see the statutory definition of compensation provides for salary "earned and paid".

Since the documents produced show that the earnings were for the performance of duties outside of the calculation period, even though they were received within the calculation period, consistent with RIGL, these payments were not used to calculate Mr. Perfetto's pension benefit.

This letter constitutes official notification of an administrative denial. Pursuant to Regulation No. 4, Rules of Practice and Procedure for Hearings of the Employees' Retirement System of Rhode Island, Section 3.00, any member aggrieved by an administrative action may request a hearing before the Retirement Board. Upon such request, the matter will be deemed a contested case. Such request shall be in writing and shall be sent to the Retirement Board, 50 Service Avenue, 2nd Floor, Warwick, RI 02886, Attention: Frank J. Karpinski, Executive Director, within 60 days of date of the letter from the Executive Director or Assistant Executive Director constituting a formal administrative denial. A request for hearing shall be signed by the member and shall contain the name of the member; date and nature of decision to be contested; a clear statement of the objection to the decision which

----- must include the reasons the member feels he or she is entitled to relief, and a concise statement of the relief sought. Failure to strictly comply with the procedures outlined above shall be grounds to deny a request for a hearing.

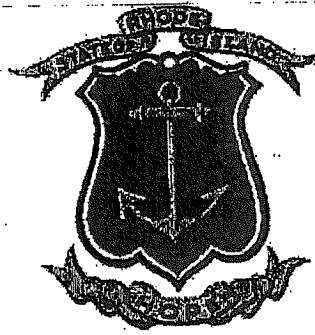
Sincerely,



Frank J. Karpinski
Executive Director

Enclosure: Employees' Retirement System of Rhode Island and Municipal
Employees' Retirement System Rule and Regulations No. 4

Cc: Robert Perfetto



**Employees' Retirement System of the State of Rhode Island
And
Municipal Employees' Retirement System
Of The State of Rhode Island**

Regulation No. 4

Rules of Practice and Procedure for Hearings in Contested Cases

Revised: May 12, 2010

Effective: August 26, 2010

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Section 1 Introduction

These Rules of Practice and Procedure are promulgated pursuant to R.I. General Laws Section 36-8-3. The Rules shall be in effect during any hearing on a contested case before the Retirement Board or its duly authorized representatives.

Section 2 Definitions

- (1) The definitions set forth in R.I. General Laws Sections 36-8-1, 45-21-2, 45-21.2-2 and 16-16-1, and as further set forth in Regulations promulgated by the Retirement Board, are specifically incorporated by reference herein.
- (2) "Contested case" means a matter for which a member requests a hearing because he or she is aggrieved by an administrative action other than a Disability decision. The term shall apply to hearings conducted before Hearing Officers, and thereafter in proceedings before the full Retirement Board.
- (3) "Party" means any member, beneficiary, Retirement System, or such other person or organization deemed by the Hearing Officer to have standing.
- (4) "Hearing Officer" means an individual appointed by the Retirement Board to hear and decide a contested case.

Section 3 Request for Hearing and Appearance

- (1) Any member aggrieved by an administrative action other than a Disability decision, may request a hearing of such grievance. Upon such request, the matter will be deemed a contested case. The procedure for Disability decisions and appeals therefrom shall be governed by the procedures set forth in Regulation Number 9, Rules Pertaining to the Application to Receive an Ordinary or Accidental Disability Pension.
- (2) Such request shall be in writing and shall be sent to the Retirement Board within sixty (60) days of the date of a letter from the Executive Director or Assistant Executive Director constituting a formal administrative denial.
- (3) A request for hearing shall be signed by the member and shall contain the following information:
 - i. Name of member;
 - ii. Date and nature of decision being contested;
 - iii. A clear statement of the objection to the decision which must include the reasons the member feels he or she is entitled to relief; and
 - iv. A concise statement of the relief sought.
- (4) Requests for hearing should be sent to the Retirement Board at 50 Service Avenue, 2nd Floor, Warwick, RI 02886-1021.

- (5) Failure to strictly comply with the procedures outlined in this Section shall be grounds to deny any request for a hearing.

Section 4 Contested Cases – Notice of Hearing

- (1) Upon receipt of a request for hearing in matters other than Disability decisions and appeals therefrom, the Retirement Board or its designee shall appoint a Hearing Officer. The appointed Hearing Officer shall hear the matter, find facts and offer conclusions of law to the Retirement Board. The decision of a Hearing Officer shall be subject to approval by the full Retirement Board. The Retirement System's action shall not be deemed final until such time as the Hearing Officer's recommendation has been voted upon by the Retirement Board.
- (2) Within forty-five (45) days after receipt by the Retirement Board of a request for hearing, the Retirement Board shall give notice that the matter has been assigned to a Hearing Officer for consideration.
- (3) In any contested case, all parties shall be afforded an opportunity to be heard after reasonable notice.
- (4) The notice described in subsection (2), above, shall include:
 - i. A statement of the time, place, and nature of the hearing;
 - ii. A statement of the legal authority and jurisdiction under which the hearing is to be held;
 - iii. A reference to the particular sections of the statutes and rules involved;
 - iv. The name, official title and mailing address of the Hearing Officer, if any;
 - v. A statement of the issues involved and, to the extent known, of the matters asserted by the parties; and
 - vi. A statement that a party who fails to attend or participate in the hearing may be held to be in default and have his or her appeal dismissed.
- (5) The notice may include any other matters the Hearing Officer or the Retirement Board considers desirable to expedite the proceedings.

Section 5 Contested Cases – Hearings in General

- (1) All parties shall be afforded an opportunity to respond and present evidence and argument on all issues involved.
- (2) Members must appear at hearings either personally, or by appearance of legal counsel. Members may represent themselves or be represented by legal counsel at their own expense. Consistent with RIGL §11-27-2 entitled, "Practice of law", any person accompanying the member who is not a lawyer (certified member of the bar of the State of Rhode Island) cannot represent the member in the hearing.

- (3) Continuances and postponements may be granted by the Hearing Officer or the Retirement Board at their discretion.
- (4) Disposition may be made of any contested case by stipulation, agreed settlement, consent order or default.
- (5) Should the Hearing Officer or Retirement Board determine that written memoranda are required, the member will be notified by the Hearing Officer or the Retirement Board of the need to file a written document which discusses the issues of the case. Memoranda of law may always be offered in support of arguments offered by the member or the representative of the retirement systems.
- (6) The Executive Director may, when he or she deems appropriate, retain independent legal counsel to prosecute any contested case.
- (7) A recording of each hearing shall be made. Any party may request a transcript or copy of the tape at their own expense.

Section 6 Contested Cases - Conduct of Hearings before Hearing Officers

- (1) Hearings shall be conducted by the Hearing Officer who shall have authority to examine witnesses, to rule on motions, and to rule upon the admissibility of evidence.
- (2) The Hearing shall be convened by the Hearing Officer. Appearances shall be noted and any motions or preliminary matters shall be taken up. Each party shall have the opportunity to present its case generally on an issue by issue basis, by calling and examining witnesses and introducing written evidence.
- (3) The Member shall first present his or her case followed by presentation of the Retirement System's case.
- (4) The Hearing Officer shall have the authority to continue or recess any hearing and to keep the record open for the submission of additional evidence.
- (5) If for any reason a Hearing Officer cannot continue on a case, another Hearing Officer will be appointed who will become familiar with the record and perform any function remaining to be performed without the necessity of repeating any previous proceedings in the case.
- (6) Each party shall have the opportunity to examine witnesses and cross-examine opposing witnesses on any matter relevant to the issues in the case.
- (7) Any objections to testimony or evidence and the basis for the objection shall be made at the time the testimony or evidence is offered.
- (8) The Hearing Officer may question any party or any witness for the purpose of clarifying their understanding or to clarify the record.
- (9) The scope of hearing shall be limited to those matters specifically outlined in the request for hearing.

- (10) Written evidence will be marked for identification. If the original is not readily available, written evidence may be received in the form of copies or excerpts. Upon request, parties shall be given an opportunity to compare the copy with the original.
- (11) Findings of fact shall be based solely on the evidence and matters officially noticed.
- (12) If a member fails to attend or participate in the hearing as requested, the Hearing Officer may default such member and dismiss his or her appeal with prejudice.

Section 7 Contested Cases – Record of Proceedings before Hearing Officers

The record in a contested case shall include:

- (1) All pleadings, motions, intermediate rulings;
- (2) Evidence received or considered;
- (3) A statement of matters officially noticed;
- (4) Questions and offers of proof and rulings thereon;
- (5) Proposed findings and exceptions;
- (6) Any decision, opinion, or report by the Hearing Officer at the hearing;
and
- (7) All staff memoranda or data submitted to the Hearing Officer in connection with their consideration of the case.

Section 8 Ex Parte Communications (Communications by one party)

There shall be no communications between the Hearing Officer and either a member, the Retirement System or the Retirement Board, or any of their representatives regarding any issue of fact or law in a case, without notice and opportunity for all parties to participate. There shall be no written communications by any party that are not transmitted at the same time to all parties.

Section 9 Rules of Evidence in Contested Cases:

Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. The rules of evidence as applied in civil cases in the superior courts of this state shall be followed. Evidence not usually admitted under the rules of evidence for civil cases may be admitted where it is shown that such evidence is necessary to ascertain facts not capable of being proved otherwise. The Hearing Officer and the Retirement Board shall give effect to the rules of privilege (such as attorney/client privilege) recognized by law. Objections to evidence may be made and shall be noted in the record. Any part of the evidence may be received in written form when a hearing needs to be expedited and the interests of the parties will not be hurt substantially.

Section 10 Final Decision and Member Right of Appeal

- (1) Within twenty-five (25) days after receipt of the Hearing Officer's recommendation, a copy thereof shall be served upon all parties to the proceeding and each party shall be notified of the time and place when the matter shall be considered by the Retirement Board. Each party to the proceeding shall be given the right to make exceptions, to file briefs and to make oral arguments before the Retirement Board. No additional evidence will be considered by the Retirement Board once the Hearing Officer has issued a recommendation. A party wishing to file a brief or make exceptions to the recommendation of the Hearing Officer shall be required to submit the same to the Executive Director not later than ten (10) days prior to the date when the Retirement Board is scheduled to hear and act upon the recommendation of the Hearing Officer. The aggrieved party and his or her representative shall have the right to appear before the Retirement Board and make oral argument at the time of such hearing. No new testimony will be taken, or evidence considered at this time. Consistent with RIGL §11-27-2 entitled, "Practice of law" any person accompanying the member who is not a lawyer (certified member of the bar of the State of Rhode Island), cannot represent the member before the Retirement Board. After consideration of the decision of the Hearing Officer and such other argument as shall be presented by any party to the proceeding, the Retirement Board shall vote on the recommendation of the Hearing Officer.
- (2) In the event of a tie vote of a quorum present and voting on a contested matter, the matter will automatically be placed on the agenda of the next Retirement Board meeting.

In the event of a tie vote of a quorum present and voting on a contested matter rescheduled from a prior meeting, the Retirement Board may vote to postpone and re-consider the matter at a subsequent hearing, when a larger number of voting members may be present. If no such vote to postpone and re-consider is taken, or if a vote to postpone and re-consider the matter at a later date fails, the underlying action appealed from will be deemed affirmed

Section 11 Requests for Rehearing

- (1) A request for rehearing which is submitted prior to the issuance of the Hearing Officer's recommendation should be made in writing. The request must detail the substance of any additional evidence to be offered, and the reason for the failure of the party to offer it at the prior proceedings.
- (2) A rehearing will be denied if the evidence does not bear on any issue in contest in the original proceedings, will not likely affect the final recommendation, or if the request appears to be merely for purposes of delaying a final decision. A second request for rehearing after the granting or denial of a prior request for rehearing will not be permitted.

Robert Perfetto,
Plaintiff,

v.

Employees' Retirement System
Of Rhode Island and Gino Raimondo,
in her capacity as General Treasurer
of the State of Rhode Island and
Rhode Island Retirement Board,
Defendants.

C.A. No.: 13-5811

ORDER

This matter was scheduled for hearing on June 10, 2014, on the Employees' Retirement System of the State of Rhode Island ("ERSRI")'s motion to dismiss the Plaintiff's complaint pursuant to Superior Court Rules of Civil Procedure 12(b)(1) and 12(b)(6), and Plaintiff's objection thereto, Montalbano, J. presiding. After hearing thereon, and in consideration thereof, it is hereby Ordered:

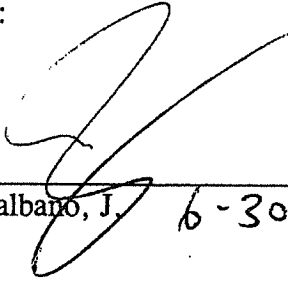
1. ERSRI's motion to dismiss is granted for the reasons set forth on the record, and this matter is hereby dismissed without prejudice;
2. In connection with dismissal of this action without prejudice, the Court hereby directs ERSRI to afford Plaintiff the procedures available to him in accordance with promulgated regulations for the administrative resolution of contested cases, and ERSRI shall not refuse to provide Plaintiff access to any such available procedures based upon any claimed failure to request administrative review in a timely fashion;

2014 JUN 30 P 3:45
 SUPERIOR COURT
 FILED
 JERRY S. KINCH JR., CLERK

3. Judgment shall enter in favor of ERSRI consistent with the terms of this Order.

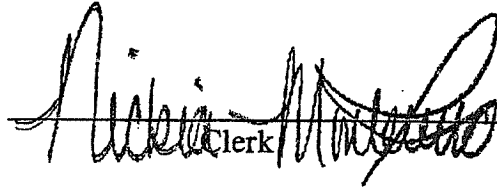
Entered as an Order of the Court this 30th day of June, 2014.

Enter:



Montalbano, J. 6-30-14

Per Order,



Niekia M. Monteiro, Deputy Clerk

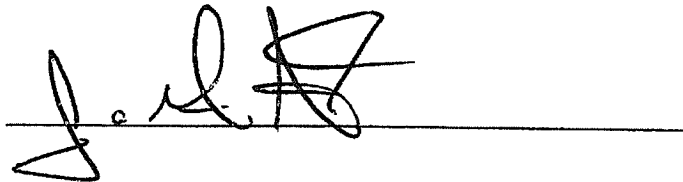
Presented by:



Michael P. Robinson, Esq. R.I. Bar No.6306
Shechtman Halperin Savage, LLP
1080 Main Street
Pawtucket, RI 02860
(401) 272-1400
(401) 272-1403 (fax)
mrobinson@shslawfirm.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing *Order*, was furnished via first class mail to Keven A. McKenna, Esq., 23 Acorn Street, Providence, Rhode Island, 02903, and Assistant Attorney General Thomas A. Palombo, Esq., 150 South Main Street, Providence, Rhode Island, 02903, on this 30 day of June 2014.



STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

Robert Perfetto,
Plaintiff,

v.

Employees' Retirement System
Of Rhode Island and Gino Raimondo,
in her capacity as General Treasurer
of the State of Rhode Island and
Rhode Island Retirement Board,
Defendants.

C.A. No.: 13-5811

JUDGMENT

Judgment hereby enters in favor of the Defendant, the Employees' Retirement System of the State of Rhode Island ("ERSR I"), and against the Plaintiff, consistent with the terms of the Order entered herewith, and this matter is hereby dismissed without prejudice.

Entered as a Judgment of the Court this 30th day of July, 2014.

Enter:

Montalbano, J.

6-30-14

Presented by:

Michael P. Robinson, Esq. R.I. Bar No.6306
Shechtman Halperin Savage, LLP
1080 Main Street
Pawtucket, RI 02860
(401) 272-1400
(401) 272-1403 (fax)
mrobinson@shslawfirm.com

Per Order,

Clerk

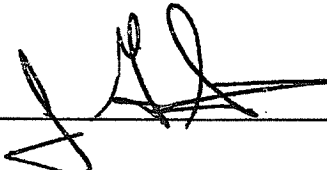
Nickia M. Monteiro, Deputy Clerk

2014 JUN 30 P 3:45

EMERY S. KINCH JR., CLERK
SUPERIOR COURT
FILED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing *Judgment*, was furnished via first class mail to Keven A. McKenna, Esq., 23 Acorn Street, Providence, Rhode Island, 02903, and Assistant Attorney General Thomas A. Palombo, Esq., 150 South Main Street, Providence, Rhode Island, 02903, on this 30 day of June 2014.





SUPERIOR COURT

X *Providence/Bristol County*
Licht Judicial Complex
250 Benefit Street
Providence, Rhode Island 02903

— *Kent County*
Kent County Courthouse
222 Quaker Lane
Warwick, Rhode Island 02886

— *Newport County*
Murray Judicial Complex
45 Washington Square
Newport, Rhode Island 02840

— *Washington County*
McGrath Judicial Complex
4800 Tower Hill Road
Wakefield, Rhode Island 02879

CIVIL ACTION, FILE NO. 13-5811

Robert Perfetto
Plaintiff
Employees Retirement System
of RI, et al.
Defendant

Summons

To the above-named Defendant: Rhode Island Retirement Board

The above-named Plaintiff has brought an action against you in said Superior Court in the county indicated above. You are hereby summoned and required to serve upon Keren A. McKenna
Plaintiff's attorney, whose address is 23 Acorn Street, Providence, RI 0293

an answer to the complaint which is herewith served upon you within 20 days after service of this summons upon you, exclusive of the day of service.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a), unless the relief demanded in the complaint is for damage arising out of your ownership, maintenance, operation, or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the Plaintiff, or you will thereafter be barred from making such claim in any other action.

Edward Downes

CLERK

Dated:

(Seal of the Superior Court)

A True Copy Attest
11/27/13
Kyle Norisima
Constable #6137/146



SUPERIOR COURT

CIVIL CASE COVER SHEET

13
CASE # 5811

THIS FORM MUST BE FILED WITH EACH ORIGINAL DOCUMENT THAT COMMENCES A CIVIL PROCEEDING IN THE CLERK'S OFFICE. IF THE CASE IS A DISTRICT COURT APPEAL, THIS FORM MUST BE FILED WITH THE APPEAL IN THE DISTRICT COURT AND WILL BE TRANSFERRED WITH OTHER DOCUMENTS TO THE SUPERIOR COURT.

Robert Perfetto
PLAINTIFF ID#
Employees' Retirement System of RI, et al
DEFENDANT ID#

NATURE OF PROCEEDING - CHECK ONE APPLICABLE CASE TYPE UNDER MAIN CATEGORIES LISTED BELOW.

CIVIL ACTION

- AA AGENCY APPEAL
- AB ASSAULT AND BATTERY
- AE ASBESTOS CASES
- AI ANTI-TRUST
- BA BOOK ACCOUNT
- BP BILL OF RIGHTS-POLICE OFF
- CH CIVIL RIGHTS/JOB DISCRIM
- CI CRIMINAL INJURY COMP
- CL COMMON LAW ASSIGNMENT
- CM COMMON LAW LIEN
- CS CONVERSION
- CV CRIMINAL CONVERSION
- CH CIVIL RIGHTS/JOB DISCRIMIN
- DJ DECLARATORY JUDGMENT
- DG RECOVERY OF DAMAGES
- DB DEBT ON JUDGMENT
- DD DECEPTIVE TRADE PRACTICE
- DN DENIAL OF PROBATE CLAIM
- EX EXCESSIVE TAX
- FF FORFEITURE
- FG FOREIGN JUDGMENT
- FS FRIENDLY SUIT
- ID PER INJURY/PROP DAM/VEH
- IJ INJUNCTIVE RELIEF
- IP INTERPLEADER
- KP KUGEL PATCH
- LC LEAD CASE
- LS LIBEL/SLANDER
- ME MALPRACTICE/LEGAL
- MM MALPRACTICE/MEDICAL
- MO MALPRACTICE/OTHER
- MR MERS
- OV OTHER CIVIL ACTION
- PB PROPERTY DAMAGES
- PG PROPERTY DAMAGES/VEH
- PI PERSONAL INJURY
- PJ PERSONAL INJURY/VEHICLE
- PL PRODUCT LIABILITY
- PR PARTITION
- RC REINSTATE CHARTER
- PT PROMISSARY NOTE
- RY REAL PROPERTY
- SA SEXUAL ABUSE
- SF SPECIFIC PERFORMANCE
- SX SEXUAL HARASSMENT
- TD CONTRACT DAMAGES
- TE TRESPASS AND EJECTMENT
- TO TITLE CLEARING
- TV TRUSTEE/APPT CONVEY TITLE
- TG TRUSTEE/ACCOUNTING
- UM UNINSURED MOTORIST
- WD WRONGFUL DEATH/ OTHER
- WE WRONGFUL DEATH/ MED. MAL
- WM WRIT OF MANDAMUS
- WR WRIT OF REPLEVIN

MISCELLANEOUS PETITION

- AC ARBITRATION/CONFIRM
- AD ARBITRATION AWARD
- AS ASSESSMENT OF DAMAGES
- CE CONDEMNATION
- CN CONFIRM COMPROMISE
- CP CONTEMPT
- DI DISCLAIMER
- DS DISSOLUTION OF CORP
- DT DECLINATION OF TRUSTEE
- EN END PARTNERSHIP
- FC FORFEITURE OF CHARTER
- FL FORECLOSURE RIGHTS REDEM
- GJ GRAND JURY INVESTIGATION
- HC HABEAS CORPUS
- LN LEVEL COMMUN NOTIFICATION
- ML MECHANICS LIEN
- MW MATERIAL WITNESS
- OM OTHER MISC PETITION
- OW OUT OF STATE WITNESS
- PC POST CONVICTION RELIEF
- PD PETITION TO TAKE DEPO
- PM PETITION FOR IMMUNITY
- PO PETITION FOR CONSTABLE
- PS PERFORM SURGERY
- PX PETITION TO EXPUNGE
- PY PETITION INVENT (WIRE TAP)
- RB ARBITRATION REFERRAL
- RP RULE 6A PETITION
- RV RECEIVERSHIP
- SO SEXUAL VIOLENT PREDATOR
- SS STRUCTURED SETTLEMENT
- TA APPOINTMENT OF TRUSTEE
- TC TITLE CLEARING (TAX TITLE)
- TL FORECLOSURE/TAX LIEN
- TS TRUSTEE SUCCESSOR
- VC VACATE ARBITRATION

PROBATE APPEAL

- GD GUARDIANSHIP
- NC NAME CHANGE
- OA OTHER PROBATE APPEAL
- TU TRUST
- WL WILL

DISTRICT COURT APPEAL

DISTRICT COURT APPEAL

TRIAL YES NO IF YES: JURY NON-JURY

ATTORNEY NAME AND RHODE ISLAND BAR NUMBER: Keven A. McKenna (#0622)
PRO SE/NAME:
DATE: 11/21/13

Robert Perfetto
Plaintiff
VS
Employees' Retirement System
Of Rhode Island and
Gino Raimondo, in her capacity as
General Treasurer of the State of Rhode
Island and
Rhode Island Retirement Board
Defendant

13-

Complaint

Parties

- 1. The Plaintiff is Robert J. Perfetto of Narragansett, R.I. 02882.
2. The Defendants are (a) the Employees' Retirement System of Rhode Island, (b) Rhode Island Retirement Board located each located at 50 Service Avenue, 2nd Floor of Warwick, Rhode Island 02886 and (c) Gino Raimondo in her official capacity as the General Treasurer of the State of Rhode Island (hereinafter referred to as the "Treasurer"), located at the State House on Smith Street in Providence, Rhode Island 02903. Pursuant to R.I.G.L. §42-10-11 et seq., the Treasurer has responsibility for and control of state funds and the payment of state retirement benefits administered through the Employees' Retirement System of Rhode Island. Pursuant to R.I. G.L. §36-8-9, the Treasurer shall serve as ex-officio chairperson of the Rhode Island Retirement Board and custodian and treasurer of the funds of the Employees' Retirement System of Rhode Island.
3. Defendant, Employees' Retirement System of Rhode Island, is established and placed under the management of the Rhode Island Retirement Board pursuant to R.I.G.L. §§36-8-2 and 36-8-3. The Retirement Board, pursuant to R.I.G.L. §36-8-9, by statute is in

charge of administration of the retirement system and serves as Secretary to the Retirement Board. The Employees' Retirement System of the State of Rhode Island and the Retirement Board are hereinafter collectively referred to as the "Retirement System".

Jurisdiction

4. This Honorable Court has jurisdiction over this controversy pursuant to section 1 and 2 of Article X of the R.I. State Constitution and R.I.G.L. §§8-6-13 (equity) and 8-6-14 (law), and R.I.G.L. §9-30-1, et seq (Uniform Declaratory Judgment Act).

Facts:

5. The Plaintiff was born on
6. The Plaintiff's base entry and hire date was restored to September 8, 1987 pursuant to a Superior Court Judgment, C.A. No. 09-2428 and his back pay of \$55,775 was awarded on June 23, 2010.
7. Plaintiff is entitled to certain benefits of retirement upon reaching the standards for retirement as they existed on September 30, 2009 ("Group A"), including "average compensation" being ...the average of the highest three (3) consecutive years of compensation.." as per R.I.G.L. §36-8-1.
8. On August 1, 2013 the Plaintiff retired from the Employment System based upon calculations as a Group A member and as set forth in that certain "Benefits Estimate" prepared by John P. Midgley of the Retirement System, in his clerical capacity pursuant to R.I.G.L. §§36-8-1 and 36-8-10, during a meeting initiated by the Plaintiff to determine his retirement income should he desire to retire at this time.

9. Plaintiff relied on the calculation of the monthly retirement benefit which he was informed he would receive and based upon said information, Plaintiff concluded that retirement was an option at this time.
10. Thereinafter the Treasurer's office mailed the incorrect statutory sum due for the monthly retirement check of the Plaintiff from the Treasury account of the Defendant, the Retirement System.
11. The retirement check received by Plaintiff was incorrect in that it was approximately \$1,000 less than the calculations set forth in the Benefits Estimate presented to Plaintiff at the time he entered into the retirement contract. When Plaintiff questioned the discrepancy, he was informed that "an error was made" in the calculation of benefits.
12. But for the incorrect calculation of his retirement benefits, the Plaintiff would not have retired and the Defendants are equitably estopped from not paying the amount of monthly retirement sums promised and relied upon by the Retirement System.
13. Had the Retirement System not promised the incorrect monthly benefit, Plaintiff would not have retired and would have continued working.
14. The false fact presented by the Employee Retirement System induced the Plaintiff to enter into a retirement contract; thus, the Plaintiff's retirement contract is void based on such misrepresentation of a material fact for which the Plaintiff relied upon.

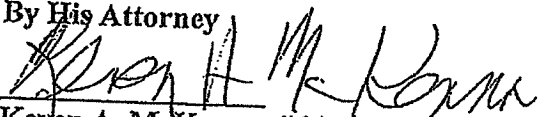
Wherefore, Plaintiff demands the following alternative forms of relief:

- (i) Order the Treasurer and the Retirement System to abide by the Benefits Estimate and pay the Plaintiff the correct monthly sum in accordance with statute, plus interest;

- (ii) In the alternative, declare the retirement contract void and order that the Plaintiff be rehired as of August 1, 2013 as if he had not been falsely induced to retire and that he be awarded a retroactive credit for income he would have earned, plus interest.
- (iii) Plaintiff be awarded counsel fees and costs.
- (iv) Provide such other relief which is just and equitable.

Plaintiff

By His Attorney


Keven A. McKenna, #662

23 Acorn Street

Providence, Rhode Island 02903

401 273-8200 Tel.



Employees' Retirement System of Rhode Island

ERSRI Board:

October 2, 2013

Gina M. Raimondo
*General Treasurer
Chair*

Robert Perfetto

William B. Finelli
Vice Chair

Narragansett, RI 02882

Gary R. Alger

Dear Mr. Perfetto:

Daniel L. Beardsley

Following up on our discussion regarding your pension check amount, the reason it was higher on the estimate was because of the \$55,000 retroactive payment that was posted to your account by State payroll under 2010, when it should have been posted under 2009, since that's the year the payment was meant for, according to documentation in your file. I did notice this when I calculated your actual benefit, and was required to make the adjustment; I did not realize that the amount was included in your estimate.

Frank R. Benelli, Jr.

Roger P. Boudreau

Michael R. Boyce

M. Carl Heintzelman

Richard A. Licht

I did reexamine your account to make sure that we used the highest possible calculation in determining your benefit, and have included a Pension Record with this letter showing exactly the years that we used. Even after moving the \$55,000 retro to the appropriate year, the last 78 pay periods that you worked – 3 years' worth of salaries – yields the highest average salary possible. Any other configuration would result in a lesser benefit.

John P. Maguire

John J. Meehan

Thomas A. Mullaney

With the high volume of estimates our office calculates every year, we do try to make them as accurate as possible, although they are only estimates. I do apologize that yours was inaccurate to such a large degree, however, the final calculated benefit that was determined for you is the highest possible amount we can give you.

Louis M. Prata

Linda C. Riendeau

Jean Rondeau

Sincerely,

Frank J. Karpinski
Executive Director

John P. Midgley
Retirement Benefit Analyst
ERSRI



ERSRI Memorandum

ERSRI Board: Date: March 8, 2017

Seth Magaziner
General Treasurer
Chair To: Retirement Board

William B. Finelli
Vice Chair From: Frank J. Karpinski, Executive Director

Roger P. Boudreau Subject: Post Retirement Employment Reports

Mark A. Carruolo Enclosed are the listings of reported retirees working under the various post-retirement
Brian M. Daniels employment statutes.

Michael DiBiase For the K-12 schools and municipalities, the column *Number of Days* lists the up-to-
Paul L. Dion date totals of working days provided by the agency(ies) to ERSRI. Subsequently, if a
Thomas M. Lambert retiree works for more than one agency or works in a different position, the column to
John P. Maguire its right *No. Days--Split* indicates the break down. For both the state
Marianne F. Monte colleges/universities and nursing, the column *Earnings* (gross) lists the up-to-date
dollar earnings and to its right the *Earnings—Split* column provides a break down as
indicated if any.

Thomas A. Mullaney Non-substitute teacher positions must be certified by the school as posted but unable to
Claire M. Newell be filled with a non-retiree. Depending on the position being filled, a retired employee
Marcia B. Reback who returned to work as a substitute teacher is indicated by a *Title/Function* column as
PRSB.

Jean Rondeau If a retired employee is returning to work as an administrator, guidance counselor, or
Laura Shawhughes other certified position in a school department, this is considered a vacancy position
and labeled in the *Title/Function* column as *PRAM*. Certification letters (good faith
letter) need to be provided by the agency and forwarded to ERSRI consistent with
RIGL §16-16-24.

Frank J. Karpinski
Executive Director

Municipal retirees returning to work in a school system are indicated in the *Title/
Function* column as *PRMS*. Municipal retirees returning to work for a participating
city/town are indicated as *PRME*. Retirees working for a State College/University and
allowed to earn up to \$15,000 gross yearly is indicated by *PRST* and for registered
nurses working in a State facility indicated as *PRNR*.

Persons exceeding the statutory limitations are notified by mail or email and provided
an opportunity to dispute the reports received by this office, prior to 'docking' or
suspension of their benefit.

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
PRMS--Municipal in the School

First Name	Initial	Last Name	Employer		Title-- Function	Number		Footnote
			Code	Employer Name		of Days	of Days - Split	
FRANK	C	PICCIRILLI	1441	Providence School Dept.	PRAM	90.00	55.00	Reached Limit
FRANK	C	PICCIRILLI	1441	Providence School Dept.	PRSB	90.00	35.00	Reached Limit
THOMAS	J	DIPIPO	1441	Providence School Dept.	PRAM	89.00	52.00	Close to limit
THOMAS	J	DIPIPO	1441	Providence School Dept.	PRSB	89.00	37.00	Close to limit
MAGDALENE	M	SOLOMON	1441	Providence School Dept.	PRAM	88.00	54.00	Suspended Pension-
MAGDALENE	M	SOLOMON	1441	Providence School Dept.	PRSB	88.00	34.00	Suspended Pension-
DAVID	F	DESJARDINS	1651	Paul Cuffee School	PRSB	87.00	87.00	Close to limit
PAUL		CHARPENTIER	1411	Pawtucket School Dept.	PRSB	87.00	87.00	Close to limit
JUDITH A		HURLEY	1161	East Providence Schools	PRSB	85.50	85.50	Close to limit
CAROLE	D	PECKHAM	1631	Woonsocket School Dept.	PRSB	84.00	84.00	Close to limit
MICHAEL		TOPAZIO	1001	Barrington Public Schools	PRSB	83.50	82.50	Close to limit
MICHAEL		TOPAZIO	1021	Bristol Warren Reg. School Dist	PRSB	83.50	1.00	Close to limit
ROBERT	S	SOSCIA	1571	Warwick School Dept.	PRSB	73.00	73.00	
GERALD	F	LUONGO	1441	Providence School Dept.	PRAM	70.00	35.00	
GERALD	F	LUONGO	1441	Providence School Dept.	PRSB	70.00	35.00	
MAUREEN	A	FITZPATRICK-JOYCE	1441	Providence School Dept.	PRAM	70.00	35.50	
MAUREEN	A	FITZPATRICK-JOYCE	1441	Providence School Dept.	PRSB	70.00	34.50	
JANE	P	NOBREGA	1001	Barrington Public Schools	PRSB	68.00	68.00	
JAMES	F	DELILLO	1301	Lincoln School Dept.	PRAM	67.50	67.50	
CHARLOTTE		TAVARES	1301	Lincoln School Dept.	PRAM	64.00	62.00	
CHARLOTTE		TAVARES	1301	Lincoln School Dept.	PRSB	64.00	2.00	
THOMAS	P	MONTAQUILA	1441	Providence School Dept.	PRAM	63.50	39.00	
THOMAS	P	MONTAQUILA	1441	Providence School Dept.	PRSB	63.50	24.50	
ZITA		BUTLER	1411	Pawtucket School Dept.	PRSB	63.00	63.00	
DEBRA	L	MORIARTY	1471	Smithfield School Dept.	PRSB	62.00	51.00	
DEBRA	L	MORIARTY	1571	Warwick School Dept.	PRSB	62.00	11.00	
JUAN	A	RODRIGUEZ	1441	Providence School Dept.	PRAM	62.00	30.00	
JUAN	A	RODRIGUEZ	1441	Providence School Dept.	PRSB	62.00	32.00	
VIRGINIA	R	DIMASI	1611	West Warwick School Dept.	PRSB	62.00	62.00	
KATHLEEN	A	SULLIVAN	1441	Providence School Dept.	PRAM	61.00	36.00	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
PRMS--Municipal in the School

First Name	Initial	Last Name	Employer		Title--	Number of Days -		Footnote
			Code	Employer Name		Function	Split	
KATHLEEN	A	SULLIVAN	1441	Providence School Dept.	PRSB	61.00	25.00	
MARY	B	CULLEN	1441	Providence School Dept.	PRAM	61.00	43.00	
MARY	B	CULLEN	1441	Providence School Dept.	PRSB	61.00	18.00	
KENNETH	L	PECKHAM	1631	Woonsocket School Dept.	PRSB	60.00	60.00	
MARION	L	MCCABE	1441	Providence School Dept.	PRAM	59.00	31.00	
MARION	L	MCCABE	1441	Providence School Dept.	PRSB	59.00	28.00	
RICHARD		BERNARDO	1531	Tiverton School Dept.	PRAM	59.00	43.00	
RICHARD		BERNARDO	1531	Tiverton School Dept.	PRSB	59.00	16.00	
STEVEN	B	KENNY	1091	Coventry Public Schools	PRSB	58.50	58.50	
ANTHONY	J	TUTALO	1441	Providence School Dept.	PRAM	58.00	36.00	
ANTHONY	J	TUTALO	1441	Providence School Dept.	PRSB	58.00	22.00	
ELLEN	L	VERMETTE	1411	Pawtucket School Dept.	PRSB	58.00	58.00	
MARGARET	E	GALLAGHER-ELMER	1471	Smithfield School Dept.	PRSB	58.00	58.00	
ELGERINE		ROBERTS	1441	Providence School Dept.	PRAM	57.00	34.00	
ELGERINE		ROBERTS	1441	Providence School Dept.	PRSB	57.00	23.00	
KATHLEEN	P	BROWNING	1621	Westerly School Dept.	PRSB	57.00	57.00	
CAROL		PIZZUTI	1611	West Warwick School Dept.	PRSB	56.50	56.50	
RAYMOND	F	DOYLE	1611	West Warwick School Dept.	PRSB	56.00	56.00	
STEPHEN		KANE	1441	Providence School Dept.	PRAM	56.00	27.00	
STEPHEN		KANE	1441	Providence School Dept.	PRSB	56.00	29.00	
LINDA	A	TERRANOVA	1621	Westerly School Dept.	PRSB	55.50	55.50	
MARY KATE		CORRY	1411	Pawtucket School Dept.	PRAM	55.00	55.00	
JUDITH	A	LUNDSTEN	1341	New Shoreham School Dist.	PRAM	54.50	54.50	
PATRICIA		REALI	1611	West Warwick School Dept.	PRSB	54.00	54.00	
PAULA	M	MARNIK	1381	North Providence School Dept.	PRSB	54.00	54.00	
SANDRA	G	LEWIS	1441	Providence School Dept.	PRAM	54.00	30.00	
SANDRA	G	LEWIS	1441	Providence School Dept.	PRSB	54.00	24.00	
JANICE	D	PETERSON	1033	Burrillville School Dept. (NC)	PRMS	53.00	53.00	
JOHN	E	LALLI	1411	Pawtucket School Dept.	PRSB	53.00	53.00	
PETER	G	LAURIE	1611	West Warwick School Dept.	PRAM	53.00	53.00	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
PRMS--Municipal in the School

First Name	Initial	Last Name	Employer		Title--	Number		Footnote
			Code	Employer Name		Function	of Days	
FRANCIS		LALIBERTE	1411	Pawtucket School Dept.	PRAM	52.50	52.50	52.50
PAMELA	R	ALEXANDER	1321	Middletown Public Schools	PRSB	52.50	52.50	52.50
ANN		BARRY	1411	Pawtucket School Dept.	PRSB	52.00	52.00	52.00
LAURENT		DESROSIERS	1301	Lincoln School Dept.	PRAM	52.00	52.00	52.00
ANNE		BOLDUC	1631	Woonsocket School Dept.	PRSB	51.50	51.50	51.50
JUDITH	A	SACCARDO	1001	Barrington Public Schools	PRAM	51.00	51.00	51.00
LUCY	E	LAMBOY	1441	Providence School Dept.	PRAM	51.00	20.00	20.00
LUCY	E	LAMBOY	1441	Providence School Dept.	PRSB	51.00	31.00	31.00
MAUREEN	A	DEL SESTO	1381	North Providence School Dept.	PRSB	51.00	51.00	51.00
DONNA		TOBIN	1091	Coventry Public Schools	PRSB	50.00	50.00	50.00
ELAINE	C	HAZZARD	1411	Pawtucket School Dept.	PRAM	50.00	50.00	50.00
LORNA		O'CONNELL	1411	Pawtucket School Dept.	PRSB	50.00	50.00	50.00
LYNNE	I	EDMONDS	1441	Providence School Dept.	PRAM	50.00	17.00	17.00
LYNNE	I	EDMONDS	1441	Providence School Dept.	PRSB	50.00	33.00	33.00
ROBERT	L	ARNOLD	1611	West Warwick School Dept.	PRSB	49.50	49.50	49.50
ANNETTE	E	VALLONE	1463	Scituate School Dept. (NC)	PRMS	49.00	49.00	49.00
CARMEN	M	ROBICHAUD	1441	Providence School Dept.	PRAM	49.00	30.00	30.00
CARMEN	M	ROBICHAUD	1441	Providence School Dept.	PRSB	49.00	19.00	19.00
MARK		HAWK	1341	New Shoreham School Dist.	PRAM	48.50	48.50	48.50
DEBRA		MILLER	1411	Pawtucket School Dept.	PRSB	48.00	48.00	48.00
SALLY	A	QUINN	1471	Smithfield School Dept.	PRSB	48.00	48.00	48.00
STEPHEN	M	MCCARTY	1491	South Kingstown School Dept.	PRSB	48.00	48.00	48.00
WILLIAM	T	BEHRENDJS JR	1331	Narragansett School Dept.	PRAM	48.00	48.00	48.00
BARBARA		HALZEL	1061	Central Falls Collaborative	PRAM	47.00	47.00	47.00
CARL	F	CHIULLI	1631	Woonsocket School Dept.	PRAM	47.00	47.00	47.00
DEBRA	L	MILLER	1571	Warwick School Dept.	PRSB	47.00	47.00	47.00
James	J	KILEY	1091	Coventry Public Schools	PRSB	47.00	47.00	47.00
LAURIE	A	MAGNETTE	1441	Providence School Dept.	PRAM	47.00	28.00	28.00
LAURIE	A	MAGNETTE	1441	Providence School Dept.	PRSB	47.00	19.00	19.00
LINDA	C	GLORIA	1441	Providence School Dept.	PRAM	47.00	26.00	26.00

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
 PRMS--Municipal in the School

First Name	Initial	Last Name	Employer		Title--	Number of Days -		Footnote
			Code	Employer Name		Function	Split	
LINDA	C	GLORIA	1441	Providence School Dept.	PRSB	47.00	21.00	
GEORGE	E	BRIGGS	1631	Woonsocket School Dept.	PRAM	46.50	46.50	
PAUL	C	STROUP JR	1331	Narragansett School Dept.	PRSB	46.50	46.50	
CAROL	A	SHEA	1161	East Providence Schools	PRSB	46.00	46.00	
DONNA	M	BICKI-LAITHY	1631	Woonsocket School Dept.	PRSB	46.00	46.00	
KATHRYN		CROWLEY	1161	East Providence Schools	PRAM	46.00	46.00	
Augusto		GOMES	1091	Coventry Public Schools	PRSB	45.00	45.00	
DAVID		SOUZA	1163	East Providence Schools (NC)	PRMS	45.00	45.00	
LORY	I	FITZGERALD	1441	Providence School Dept.	PRAM	45.00	26.00	
LORY	I	FITZGERALD	1441	Providence School Dept.	PRSB	45.00	19.00	
MICHAEL	J	CONNOLLY	1411	Pawtucket School Dept.	PRAM	45.00	45.00	
PATRICIA		DUBOIS	1211	Glocester School Dist.	PRAM	45.00	45.00	
PATRICIA	E	ANGILLY	1571	Warwick School Dept.	PRSB	45.00	45.00	
ROGER		CALLEI	1633	Woonsocket School Dept. (NC)	PRMS	45.00	45.00	
MARILYN	A	DIMICCO	1491	South Kingstown School Dept.	PRAM	44.50	44.50	
MAUREEN	T	CICCHITELLI	1491	South Kingstown School Dept.	PRAM	44.50	44.50	
PHILIP	W	KERSHAW	1611	West Warwick School Dept.	PRSB	44.50	44.50	
ALAN	W	GRAVELL	1001	Barrington Public Schools	PRAM	44.00	44.00	
BEVERLY		KENNEY	1071	Charho Regional School Dist.	PRSB	44.00	44.00	
EDWARD		BENJAMIN	1631	Woonsocket School Dept.	PRAM	44.00	20.50	
EDWARD		BENJAMIN	1631	Woonsocket School Dept.	PRSB	44.00	23.50	
PAMELA	R	RINALDI	1411	Pawtucket School Dept.	PRSB	44.00	44.00	
ANDREW	J	RILEY	1631	Woonsocket School Dept.	PRAM	43.50	43.50	
CLAUDE	M	WATSKY	1331	Narragansett School Dept.	PRSB	43.50	0.50	
CLAUDE	M	WATSKY	1491	South Kingstown School Dept.	PRSB	43.50	43.00	
DOROTHY	J	KUPITZ	1441	Providence School Dept.	PRAM	43.50	23.50	
DOROTHY	J	KUPITZ	1441	Providence School Dept.	PRSB	43.50	20.00	
MARY SUE		FRISHMAN	1621	Westerly School Dept.	PRSB	43.50	43.50	
BARBARA	J	BOYLE	1651	Paul Cuffee School	PRAM	43.00	43.00	
CLAUDIA		VIEIRA	1411	Pawtucket School Dept.	PRSB	43.00	43.00	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
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First Name	Initial	Last Name	Employer		Employer Code	Employer Name	Title-- Function	Number		Footnote
			Code	Name				of Days	of Days - Split	
MARY	K	GREENAN	1271	Jamestown School Dept.	1271	Jamestown School Dept.	PRSB	43.00	6.00	
MARY	K	GREENAN	1491	South Kingstown School Dept.	1491	South Kingstown School Dept.	PRSB	43.00	37.00	
BARBARA		KELLY	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	42.00	42.00	
JO-ANN		AVEDISIAN	1091	Coventry Public Schools	1091	Coventry Public Schools	PRSB	42.00	42.00	
ROBERT	J	PALOMBO	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	42.00	26.00	
ROBERT	J	PALOMBO	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	42.00	16.00	
PATRICIA	R	MURRAY	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRAM	41.50	15.00	
PATRICIA	R	MURRAY	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	41.50	26.50	
RICHARD		ZAGRODNY	1631	Woonsocket School Dept.	1631	Woonsocket School Dept.	PRSB	41.50	41.50	
ANGELO		NERI	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	41.00	21.00	
ANGELO		NERI	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	41.00	20.00	
LARRY	W	DAVIDSON	1071	Charlho Regional School Dist.	1071	Charlho Regional School Dist.	PRSB	41.00	41.00	
ROBERT		PALMEIRO	1091	Coventry Public Schools	1091	Coventry Public Schools	PRSB	41.00	41.00	
THELMA		CORRENTE	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	41.00	23.00	
THELMA		CORRENTE	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	41.00	18.00	
ANNE	N	COLANNINO	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	40.00	22.00	
ANNE	N	COLANNINO	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	40.00	18.00	
CATHERINE		CRIMALDI	1161	East Providence Schools	1161	East Providence Schools	PRSB	40.00	40.00	
DIANE		CRESTO	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	40.00	20.00	
DIANE		CRESTO	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	40.00	20.00	
DIANNE	M	RENZI	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	40.00	14.00	
DIANNE	M	RENZI	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	40.00	26.00	
JUDITH	H	SMITH	1271	Jamestown School Dept.	1271	Jamestown School Dept.	PRSB	40.00	40.00	
KATHLEEN	H	CAFFREY	1161	East Providence Schools	1161	East Providence Schools	PRAM	40.00	29.00	
KATHLEEN	H	CAFFREY	1161	East Providence Schools	1161	East Providence Schools	PRSB	40.00	11.00	
PETER		MOREAU	1301	Lincoln School Dept.	1301	Lincoln School Dept.	PRAM	40.00	40.00	
GERALD	A	FOGEL	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	39.00	19.00	
GERALD	A	FOGEL	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	39.00	20.00	
HEIDI	A	WILLNER	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRAM	39.00	13.50	
HEIDI	A	WILLNER	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	39.00	25.50	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
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First Name	Initial	Last Name	Employer Code	Employer Name	Title-- Function	Number of Days -		Footnote
						Number of Days	Split	
JO ANN		JOINES	1411	Pawtucket School Dept.	PRSB	39.00	39.00	39.00
JOANN	L	ROBERTS	1071	Charho Regional School Dist.	PRSB	39.00	39.00	34.00
JOANN	L	ROBERTS	1751	RI NURSES INSTITUTE	PRSB	39.00	39.00	5.00
LOURDES	O	COSTA	1441	Providence School Dept.	PRAM	39.00	39.00	28.00
LOURDES	O	COSTA	1441	Providence School Dept.	PRSB	39.00	39.00	11.00
NANCY	K	SACCOIA	1471	Smithfield School Dept.	PRSB	39.00	39.00	39.00
THERESA SMITH		DORRY	1631	Woonsocket School Dept.	PRSB	38.50	38.50	38.50
JACQUELINE		DALEY	1411	Pawtucket School Dept.	PRSB	38.00	38.00	38.00
MARY	E	FARGNOLI-LEONE	1571	Warwick School Dept.	PRAM	38.00	38.00	24.00
MARY	E	FARGNOLI-LEONE	1571	Warwick School Dept.	PRSB	38.00	38.00	14.00
RALPH	A	MALAFRONTA	1061	Central Falls Collaborative	PRAM	38.00	38.00	38.00
ROSEMARIE		CABRAL	1471	Smithfield School Dept.	PRAM	38.00	38.00	38.00
SABINA	M	REI	1061	Central Falls Collaborative	PRAM	38.00	38.00	38.00
MARGARET	A	EDWARDS	1631	Woonsocket School Dept.	PRAM	37.50	37.50	37.50
THOMAS		CONLON	1091	Coventry Public Schools	PRSB	37.50	37.50	37.50
CLEA	B	POIRIER	1441	Providence School Dept.	PRAM	37.00	37.00	13.00
CLEA	B	POIRIER	1441	Providence School Dept.	PRSB	37.00	37.00	24.00
DONNA		TAVARES	1631	Woonsocket School Dept.	PRAM	37.00	37.00	37.00
ELIZABETH	S	STONER	1001	Barrington Public Schools	PRSB	37.00	37.00	37.00
JOHN	A	PARENTE	1571	Warwick School Dept.	PRSB	37.00	37.00	37.00
MICHAEL	F	MURRAY	1471	Smithfield School Dept.	PRAM	37.00	37.00	37.00
NANCY V		LAURIE	1461	Scituate School Dept.	PRSB	37.00	37.00	37.00
DEBORAH	R	GORMAN	1001	Barrington Public Schools	PRSB	36.50	36.50	36.50
JOSE	D	FERMIN	1441	Providence School Dept.	PRAM	36.50	36.50	23.00
JOSE	D	FERMIN	1441	Providence School Dept.	PRSB	36.50	36.50	13.50
Nancy		Souza	1421	Portsmouth School Dept.	PRSB	36.50	36.50	36.50
CHRISTINE	N	CAFFREY	1161	East Providence Schools	PRSB	36.00	36.00	36.00
Elizabeth		SALZILLO	1411	Pawtucket School Dept.	PRAM	36.00	36.00	36.00
GARY		MOROCH	1441	Providence School Dept.	PRAM	36.00	36.00	19.00
GARY		MOROCH	1441	Providence School Dept.	PRSB	36.00	36.00	17.00

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First Name	Initial	Last Name	Employer		Title--	Number of Days -		Footnote
			Code	Employer Name		Function	Split	
JOHN	C	PARISI	1571	Warwick School Dept.	PRSB	36.00	36.00	
JOSEPH	F	RENZULLI	1441	Providence School Dept.	PRAM	36.00	21.00	
JOSEPH	F	RENZULLI	1441	Providence School Dept.	PRSB	36.00	15.00	
JUDITH ANN		ANTONIO	1161	East Providence Schools	PRAM	36.00	12.00	
JUDITH ANN		ANTONIO	1161	East Providence Schools	PRSB	36.00	24.00	
June		MANGASSARIAN	1471	Smithfield School Dept.	PRAM	36.00	36.00	
MARIA	J	CASIMIRO	1411	Pawtucket School Dept.	PRSB	36.00	36.00	
MICHAEL		JAMES	1491	South Kingstown School Dept.	PRSB	36.00	36.00	
PHYLLIS	R	OELBAUM	1441	Providence School Dept.	PRAM	36.00	18.00	
PHYLLIS	R	OELBAUM	1441	Providence School Dept.	PRSB	36.00	18.00	
ROSEMARY		WITTELS	1441	Providence School Dept.	PRAM	36.00	23.00	
ROSEMARY		WITTELS	1441	Providence School Dept.	PRSB	36.00	13.00	
CHARLENE	J	CENTRACCHIO	1381	North Providence School Dept.	PRSB	35.00	35.00	
CYNTHIA		JOHNSON	1071	Charho Regional School Dist.	PRSB	35.00	35.00	
DENISE	M	WEBSTER	1751	RI NURSES INSTITUTE	PRAM	35.00	35.00	
ELIZABETH	A	GOMES	1341	New Shoreham School Dist.	PRAM	35.00	35.00	
HELEN		SISCO	1471	Smithfield School Dept.	PRSB	35.00	35.00	
JOHN	A	ABBATE	1033	Burrillville School Dept. (NC)	PRMS	35.00	35.00	
LINDA		ROBERTSON-JENNIF	1441	Providence School Dept.	PRAM	35.00	20.00	
LINDA		ROBERTSON-JENNIF	1441	Providence School Dept.	PRSB	35.00	15.00	
LINDA	A	BEVILAQUA	1571	Warwick School Dept.	PRSB	35.00	35.00	
MARJORIE	G	CHACE	1411	Pawtucket School Dept.	PRSB	35.00	35.00	
Jeffrey		Laurie	1461	Scituate School Dept.	PRSB	34.50	34.50	
LETTY		MILLS	1331	Narragansett School Dept.	PRSB	34.50	34.50	
Russell	D	NOBLE	1001	Barrington Public Schools	PRSB	34.50	34.50	
WILLIAM		HODGE	1331	Narragansett School Dept.	PRSB	34.50	14.50	
WILLIAM		HODGE	1491	South Kingstown School Dept.	PRSB	34.50	20.00	
DOROTHY		MURRAY	1033	Burrillville School Dept. (NC)	PRMS	34.00	34.00	
JANET		TARPEY	1381	North Providence School Dept.	PRSB	34.00	4.00	
JANET		TARPEY	1411	Pawtucket School Dept.	PRSB	34.00	30.00	

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First Name	Initial	Last Name	Employer Code	Employer Name	Title-- Function	Number of Days -		Footnote
						of Days	Split	
KATHLEEN		MASTROBUONO	1441	Providence School Dept.	PRAM	34.00	34.00	34.00
MARY		SMALL	1411	Pawtucket School Dept.	PRSB	34.00	34.00	34.00
MURIEL	A	MUELLER	1491	South Kingstown School Dept.	PRAM	34.00	24.00	24.00
MURIEL	A	MUELLER	1491	South Kingstown School Dept.	PRSB	34.00	10.00	10.00
John	T	CANOLE	1341	New Shoreham School Dist.	PRAM	33.50	33.50	33.50
HEATHER		FOURNIER	1411	Pawtucket School Dept.	PRSB	33.00	33.00	33.00
LINDA MARIE		LE PAGE	1531	Tiverton School Dept.	PRSB	33.00	33.00	33.00
PAMELA	M	ARDIZZONE	1441	Providence School Dept.	PRAM	33.00	23.00	23.00
PAMELA	M	ARDIZZONE	1441	Providence School Dept.	PRSB	33.00	10.00	10.00
PATRICIA	L	DIONNE	1161	East Providence Schools	PRSB	33.00	33.00	33.00
RONALD	J	PALMIERI	1571	Warwick School Dept.	PRSB	33.00	33.00	33.00
ROSLYN		BIRKE	1751	RI NURSES INSTITUTE	PRAM	33.00	33.00	33.00
SUSAN		HALPIN	1411	Pawtucket School Dept.	PRSB	33.00	33.00	33.00
CYNTHIA	L	AZZA	1491	South Kingstown School Dept.	PRSB	32.00	32.00	32.00
DAVID	R	BENTLEY	1273	Jamestown School Dept. (NC)	PRMS	32.00	32.00	32.00
DONNA	M	MEIZOSO	1471	Smithfield School Dept.	PRSB	32.00	32.00	32.00
FRANK		KENDRA	1631	Woonsocket School Dept.	PRSB	32.00	32.00	32.00
Betty	A	Nadrowski	1091	Coventry Public Schools	PRSB	31.50	31.00	31.00
BETTY	A	NADROWSKI	1191	Foster School Dist.	PRSB	31.50	0.50	0.50
FRANCINE	S	MARZILLI	1571	Warwick School Dept.	PRSB	31.50	31.50	31.50
DONNA		LANGTON	1411	Pawtucket School Dept.	PRSB	31.00	31.00	31.00
GARY	W	BEAUDOIN	1091	Coventry Public Schools	PRSB	31.00	31.00	31.00
GERALD	K	FOLEY	1411	Pawtucket School Dept.	PRSB	31.00	31.00	31.00
LYDIA	M	MATTERA	1441	Providence School Dept.	PRAM	31.00	19.00	19.00
LYDIA	M	MATTERA	1441	Providence School Dept.	PRSB	31.00	12.00	12.00
RAFAEL	E	LUNA	1441	Providence School Dept.	PRAM	31.00	26.00	26.00
RAFAEL	E	LUNA	1441	Providence School Dept.	PRSB	31.00	5.00	5.00
SANDRA	A	SHAW	1321	Middletown Public Schools	PRAM	31.00	31.00	31.00
VIOLETTE		FALK	1441	Providence School Dept.	PRAM	31.00	31.00	31.00
FRANK	G	RICCI	1571	Warwick School Dept.	PRAM	30.00	17.00	17.00

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			Code	Name					of Days	Split	
FRANK	G	RICCI	1571	Warwick School Dept.	1571	Warwick School Dept.	PRSB	PRSB	30.00	13.00	
JOHN	M	VIEIRA	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	PRAM	30.00	30.00	
JUDITH		GUGEL	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	PRSB	30.00	30.00	
KAREN		MC AVOY	1001	Barrington Public Schools	1001	Barrington Public Schools	PRSB	PRSB	30.00	30.00	
LAURA		BARRETO	1413	Pawtucket School Dept. (NC)	1413	Pawtucket School Dept. (NC)	PRMS	PRMS	30.00	30.00	
MAUREEN	A	MCCARTHY	1351	Newport School Dept.	1351	Newport School Dept.	PRSB	PRSB	30.00	30.00	
SANDRA		LUPIEN	1413	Pawtucket School Dept. (NC)	1413	Pawtucket School Dept. (NC)	PRMS	PRMS	30.00	30.00	
ANITA		GRIST	1213	Glocester School Dist. (NC)	1213	Glocester School Dist. (NC)	PRMS	PRMS	29.50	29.50	
CAROL	K	BATCHELDER	1331	Narragansett School Dept.	1331	Narragansett School Dept.	PRSB	PRSB	29.50	29.50	
EDWARD	J	MYERS JR	1461	Scituate School Dept.	1461	Scituate School Dept.	PRAM	PRAM	29.50	29.50	
KATHERINE	A	AIELLO	1071	Charho Regional School Dist.	1071	Charho Regional School Dist.	PRSB	PRSB	29.50	21.50	
KATHERINE	A	AIELLO	1621	Westerly School Dept.	1621	Westerly School Dept.	PRSB	PRSB	29.50	8.00	
CHRISTINE		MATHIEU	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	PRAM	29.00	29.00	
DAVID	S	SILVA	1031	Burrillville School Dept.	1031	Burrillville School Dept.	PRAM	PRAM	29.00	29.00	
GAYLE	J	DENELLE	1491	South Kingstown School Dept.	1491	South Kingstown School Dept.	PRSB	PRSB	29.00	29.00	
LAURENCE		HALL	1461	Scituate School Dept.	1461	Scituate School Dept.	PRAM	PRAM	29.00	23.50	
LAURENCE		HALL	1461	Scituate School Dept.	1461	Scituate School Dept.	PRSB	PRSB	29.00	5.50	
LINDA	L	RUDDY	1413	Pawtucket School Dept. (NC)	1413	Pawtucket School Dept. (NC)	PRMS	PRMS	29.00	29.00	
MARIANNE		HUGHES	1091	Coventry Public Schools	1091	Coventry Public Schools	PRSB	PRSB	28.50	28.50	
WILLIAM	H	RAPP	1461	Scituate School Dept.	1461	Scituate School Dept.	PRAM	PRAM	28.50	28.50	
CAROLYN	M	KEEGAN	1571	Warwick School Dept.	1571	Warwick School Dept.	PRSB	PRSB	28.00	28.00	
CHRISTINE	L	WEBB	1331	Narragansett School Dept.	1331	Narragansett School Dept.	PRSB	PRSB	28.00	28.00	
MAUREEN		DE CRESCENZO	1751	RI NURSES INSTITUTE	1751	RI NURSES INSTITUTE	PRAM	PRAM	28.00	28.00	
JAMES	P	DUGAN	1321	Middletown Public Schools	1321	Middletown Public Schools	PRAM	PRAM	27.50	27.50	
JULIE	A	LATESSA	1741	TRINITY ACADEMY	1741	TRINITY ACADEMY	PRAM	PRAM	27.50	27.50	
MARY JANE		ESTRELLA	1161	East Providence Schools	1161	East Providence Schools	PRSB	PRSB	27.50	27.50	
DEBORAH	A	LOCKWOOD	1571	Warwick School Dept.	1571	Warwick School Dept.	PRSB	PRSB	27.00	27.00	
JUDITH	K	MCANDREW	1621	Westerly School Dept.	1621	Westerly School Dept.	PRSB	PRSB	27.00	27.00	
KATHLEEN	L	SURIANI	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRAM	PRAM	27.00	21.50	
KATHLEEN	L	SURIANI	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	PRSB	27.00	5.50	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
PRMS--Municipal in the School

First Name	Initial	Last Name	Employer Code	Employer Name	Title-- Function	Number		Footnote
						of Days	Split	
LINDA	S	RESNICK	1411	Pawtucket School Dept.	PRSB	27.00	27.00	
MARY		ASQUITH	1471	Smithfield School Dept.	PRSB	27.00	27.00	
BRENDA		MACLEAN	1611	West Warwick School Dept.	PRSB	26.50	26.50	
ELIZABETH	J	RODERIQUES	1323	Middletown Public Schools (NC PRMS	PRMS	26.00	26.00	
MARIO	E	PAPITTO	1061	Central Falls Collaborative	PRAM	26.00	3.00	
MARIO	E	PAPITTO	1063	Central Falls School Dist. (NC)	PRMS	26.00	23.00	
Michael		PETRARCA	1191	Foster School Dist.	PRAM	26.00	26.00	
CAROL	A	MARGINSON	1571	Warwick School Dept.	PRAM	25.50	6.00	
CAROL	A	MARGINSON	1571	Warwick School Dept.	PRSB	25.50	19.50	
PATRICIA	A	MAYMON	1441	Providence School Dept.	PRAM	25.50	25.50	
ROBERT		ZAMBUCO	1611	West Warwick School Dept.	PRSB	25.50	25.50	
BARBARA ANN		CARDOSI	1411	Pawtucket School Dept.	PRSB	25.00	25.00	
CLAUDIA		BARRETT	1441	Providence School Dept.	PRAM	25.00	23.00	
CLAUDIA		BARRETT	1441	Providence School Dept.	PRSB	25.00	2.00	
ELIZABETH		LESPERANCE	1411	Pawtucket School Dept.	PRSB	25.00	25.00	
Eva	C	SILVER	1441	Providence School Dept.	PRAM	25.00	19.00	
Eva	C	SILVER	1441	Providence School Dept.	PRSB	25.00	6.00	
HAROLD	J	SMITH	2000	RI DOC	PRAM	25.00	25.00	
JAMES	M	PARENTE	1471	Smithfield School Dept.	PRSB	25.00	25.00	
MARIA	M	DUARTE	1161	East Providence Schools	PRSB	25.00	25.00	
MICHAEL	L	CONVERY	1271	Jamestown School Dept.	PRAM	25.00	2.00	
MICHAEL	L	CONVERY	1271	Jamestown School Dept.	PRSB	25.00	23.00	
SHARON	A	CASCIONE	1611	West Warwick School Dept.	PRSB	25.00	25.00	
DEBORAH	A	ABRUZZINI	1271	Jamestown School Dept.	PRSB	24.50	24.50	
SANDRA		BRAULT	1471	Smithfield School Dept.	PRSB	24.50	24.50	
DAVID	C	LEACH	1441	Providence School Dept.	PRAM	24.00	24.00	
LINDA		SILVA	1461	Scituate School Dept.	PRAM	24.00	16.00	
LINDA		SILVA	1461	Scituate School Dept.	PRSB	24.00	8.00	
MICHAEL	J	BENEDETTO	2000	State	PRAM	24.00	24.00	
MICHELLE	C	JAQUES	1031	Burrillville School Dept.	PRSB	24.00	24.00	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
 PRMS--Municipal in the School

First Name	Initial	Last Name	Employer		Employer Code	Employer Name	Title--Function	Number of Days -		Footnote
			Code	Name				Number of Days	Split	
PATRICIA		RIBEIRO	1611	West Warwick School Dept.	1611	West Warwick School Dept.	PRSB	24.00		24.00
G ERVIN		HOLE	1331	Narragansett School Dept.	1331	Narragansett School Dept.	PRSB	23.50		23.50
PRISCILLA	J	ARCHAMBAULT	1331	Narragansett School Dept.	1331	Narragansett School Dept.	PRAM	23.50		23.50
DOROTHY	V	RICHARD	1413	Pawtucket School Dept. (NC)	1413	Pawtucket School Dept. (NC)	PRMS	23.00		23.00
JANICE	E	ABRAHAM	1091	Coventry Public Schools	1091	Coventry Public Schools	PRSB	23.00		23.00
LINDA	A	RODERICK	1621	Westerly School Dept.	1621	Westerly School Dept.	PRSB	23.00		23.00
MARILYN	F	MOSKOL	1351	Newport School Dept.	1351	Newport School Dept.	PRSB	23.00		23.00
OLETE	M	MCMAHON	1473	Smithfield School Dept. (NC)	1473	Smithfield School Dept. (NC)	PRMS	23.00		23.00
MARY	C	CLARK	1321	Middletown Public Schools	1321	Middletown Public Schools	PRSB	22.50		22.50
PAULA		MARINARO	1091	Coventry Public Schools	1091	Coventry Public Schools	PRSB	22.50		22.50
CAROLYN	H	PERKINS	1071	Charlho Regional School Dist.	1071	Charlho Regional School Dist.	PRSB	22.00		22.00
CAROLYN	M	PELZMAN	1471	Smithfield School Dept.	1471	Smithfield School Dept.	PRSB	22.00		22.00
CYNTHIA	A	DINOBILE	1471	Smithfield School Dept.	1471	Smithfield School Dept.	PRSB	22.00		22.00
DAVID	C	PRITCHARD	1321	Middletown Public Schools	1321	Middletown Public Schools	PRAM	22.00		22.00
DEBORAH	A	JOHNSON	1463	Scituate School Dept. (NC)	1463	Scituate School Dept. (NC)	PRMS	22.00		22.00
DEBORAH	S	SAMBUCO	1461	Scituate School Dept.	1461	Scituate School Dept.	PRSB	22.00		22.00
JANE		BATES	1491	South Kingstown School Dept.	1491	South Kingstown School Dept.	PRSB	22.00		22.00
JOHN		JASIONOWSKI	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	22.00	8.00	8.00
JOHN		JASIONOWSKI	1413	Pawtucket School Dept. (NC)	1413	Pawtucket School Dept. (NC)	PRMS	22.00	14.00	14.00
JOHN	E	LAWRENCE	1471	Smithfield School Dept.	1471	Smithfield School Dept.	PRSB	22.00		22.00
JORDAN W		HOROWITZ	1381	North Providence School Dept.	1381	North Providence School Dept.	PRAM	22.00		2.00
JORDAN W		HOROWITZ	1381	North Providence School Dept.	1381	North Providence School Dept.	PRSB	22.00		20.00
COLLEEN	M	VORRO	1571	Warwick School Dept.	1571	Warwick School Dept.	PRSB	21.00		21.00
DEBORAH		BOLTON	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	21.00		21.00
JANET		SHEEHAN	1571	Warwick School Dept.	1571	Warwick School Dept.	PRSB	21.00		21.00
NANCY	P	CORDY	1491	South Kingstown School Dept.	1491	South Kingstown School Dept.	PRSB	21.00		21.00
SUSAN		KAPLAN	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	21.00		11.00
SUSAN		KAPLAN	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	21.00		10.00
SUSANNE		WILLIAMS	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	21.00		21.00
BARBARA		RIX	1001	Barrington Public Schools	1001	Barrington Public Schools	PRSB	20.50		20.50

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
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First Name	Initial	Last Name	Employer		Employer Code	Employer Name	Title-- Function	Number		Footnote
			Code	Name				of Days	Split	
BERYL		JOHNSTON	1331	Narragansett School Dept.	1331	Narragansett School Dept.	PRSB	20.50	4.50	
BERYL		JOHNSTON	1351	Newport School Dept.	1351	Newport School Dept.	PRSB	20.50	16.00	
CHERYL	C	BLUMENBAUM	1331	Narragansett School Dept.	1331	Narragansett School Dept.	PRSB	20.50	20.50	
LINDA	R	OSBORNE	1091	Coventry Public Schools	1091	Coventry Public Schools	PRSB	20.50	20.50	
MARILYN		RODERICK	1351	Newport School Dept.	1351	Newport School Dept.	PRSB	20.50	20.50	
MAUREEN	A	RILEY	1471	Smithfield School Dept.	1471	Smithfield School Dept.	PRSB	20.50	20.50	
PATRICIA	J	CAPPUCCI	1023	Bristol Warren Reg. School Dist	1023	Bristol Warren Reg. School Dist	PRMS	20.50	20.50	
PAULA	J	LAMARCHE	1571	Warwick School Dept.	1571	Warwick School Dept.	PRAM	20.50	6.50	
PAULA	J	LAMARCHE	1571	Warwick School Dept.	1571	Warwick School Dept.	PRSB	20.50	14.00	
SHEILA	A	MONAHAN	2000	State	2000	State	PRSB	20.50	9.50	
SHEILA	A	MONAHAN	2010	RI DOC	2010	RI DOC	PRAM	20.50	1.50	
SHEILA	A	MONAHAN	2010	RI DOC	2010	RI DOC	PRSB	20.50	9.50	
COLEEN	J	RAPOSA	1351	Newport School Dept.	1351	Newport School Dept.	PRSB	20.00	20.00	
DEBORAH		MASCIARELLI	1491	South Kingstown School Dept.	1491	South Kingstown School Dept.	PRSB	20.00	20.00	
PAULA	K	JOHNSON	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	20.00	11.00	
PAULA	K	JOHNSON	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	20.00	9.00	
CAROL	R	KEEGAN	1211	Glocester School Dist.	1211	Glocester School Dist.	PRSB	19.50	19.50	
DEBBIE		DECARLO	1061	Central Falls Collaborative	1061	Central Falls Collaborative	PRAM	19.50	19.50	
BERNADETTE	M	QUINDAZZI	1571	Warwick School Dept.	1571	Warwick School Dept.	PRSB	19.00	19.00	
EDITH		MORIN	1351	Newport School Dept.	1351	Newport School Dept.	PRSB	19.00	19.00	
GERALDINE		BARBIERI	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	19.00	6.00	
GERALDINE		BARBIERI	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	19.00	13.00	
GUY	D	ALBA	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	19.00	19.00	
JOSEPH	M	MAGUIRE	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	19.00	13.00	
JOSEPH	M	MAGUIRE	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	19.00	6.00	
LOUIS	A	BRUNO	1491	South Kingstown School Dept.	1491	South Kingstown School Dept.	PRSB	19.00	19.00	
PATRICIA	A	MAYNARD	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	19.00	11.00	
PATRICIA	A	MAYNARD	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	19.00	8.00	
RICHARD	A	AUBIN	1031	Burrillville School Dept.	1031	Burrillville School Dept.	PRSB	19.00	19.00	
CANDACE	A	MCCALL	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	18.50	4.00	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
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			Code				of Days	Split	
CANDACE	A	MCCALL	1441		Providence School Dept.	PRSB	18.50	14.50	
CHERYL	A	XAVIER	1331		Narragansett School Dept.	PRAM	18.50	11.00	
CHERYL	A	XAVIER	1331		Narragansett School Dept.	PRSB	18.50	7.50	
KAREN	A	KING	1191		Foster School Dist.	PRSB	18.50	18.50	
CINDY	L	JUAIRE	1413		Pawtucket School Dept. (NC)	PRMS	18.00	18.00	
JANICE	R	TETREAULT	1571		Warwick School Dept.	PRSB	18.00	18.00	
MARY	M	FOGELL	1461		Scituate School Dept.	PRSB	18.00	18.00	
RICHARD	S	BENSUSAN	1441		Providence School Dept.	PRAM	18.00	12.00	
RICHARD	S	BENSUSAN	1441		Providence School Dept.	PRSB	18.00	6.00	
SALLY		GARABEDIAN	1441		Providence School Dept.	PRAM	18.00	12.00	
SALLY		GARABEDIAN	1441		Providence School Dept.	PRSB	18.00	6.00	
VIRGINIA	S	OLIVELLI	1741		TRINITY ACADEMY	PRAM	18.00	18.00	
BEVERLY	N	SMITH	1571		Warwick School Dept.	PRSB	17.50	17.50	
DEBORAH	A	MAROT	1571		Warwick School Dept.	PRAM	17.50	10.50	
DEBORAH	A	MAROT	1571		Warwick School Dept.	PRSB	17.50	7.00	
MARILYN	S	GORGONE	1461		Scituate School Dept.	PRSB	17.50	17.50	
SUZANNE	E	BETTENCOURT	1091		Coventry Public Schools	PRSB	17.50	17.50	
ESTA	V	BARCOHANA	1411		Pawtucket School Dept.	PRSB	17.00	17.00	
JUDITH	A	FISKE	1473		Smithfield School Dept. (NC)	PRMS	17.00	17.00	
KAREN		FEENEY	1441		Providence School Dept.	PRAM	17.00	10.00	
KAREN		FEENEY	1441		Providence School Dept.	PRSB	17.00	7.00	
Lori		RATHBONE	1071		Charho Regional School Dist.	PRSB	17.00	17.00	
MARTIN	J	SCHANCK	1461		Scituate School Dept.	PRSB	17.00	17.00	
MARY		MONTGOMERY	1061		Central Falls Collaborative	PRAM	17.00	17.00	
MARY	D	GIORDANO	1441		Providence School Dept.	PRAM	17.00	13.00	
MARY	D	GIORDANO	1441		Providence School Dept.	PRSB	17.00	4.00	
STEVEN		KING	1491		South Kingstown School Dept.	PRSB	17.00	17.00	
BARBARA		IACOI	1071		Charho Regional School Dist.	PRSB	16.00	16.00	
BARBARA	F	PENZA	1571		Warwick School Dept.	PRSB	16.00	16.00	
Carole	M	DONAHUE	1421		Portsmouth School Dept.	PRSB	16.00	16.00	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
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First Name	Initial	Last Name	Employer Code	Employer Name	Title-- Function	Number of Days -		Footnote
						of Days	Split	
JAMES	R	GAMBARDELLA	1441	Providence School Dept.	PRAM	16.00	11.00	
JAMES	R	GAMBARDELLA	1441	Providence School Dept.	PRSB	16.00	5.00	
KATHLEEN	A	WALSH	1571	Warwick School Dept.	PRSB	16.00	16.00	
MARIE	E	BARRETT	1491	South Kingstown School Dept.	PRSB	16.00	16.00	
MARTHA	M	PERKINS	1611	West Warwick School Dept.	PRSB	16.00	11.00	
MICHELLE		NATALIZIA	1441	Providence School Dept.	PRAM	16.00	5.00	
MICHELLE		NATALIZIA	1441	Providence School Dept.	PRSB	16.00	16.00	
NANCY		QUARRY	1353	Newport School Dept. (NC)	PRMS	15.50	15.50	
KATHLEEN	T	PERCIVAL	1571	Warwick School Dept.	PRSB	15.00	15.00	
AUGUSTO	C	SANTANA	1441	Providence School Dept.	PRAM	15.00	15.00	
EILEEN	A	DRURY	1031	Burrillville School Dept.	PRSB	15.00	15.00	
ELAINE	A	HOULE	1571	Warwick School Dept.	PRSB	15.00	15.00	
ELIZABETH	A	CLESAS	1441	Providence School Dept.	PRAM	15.00	15.00	
ROBERT	B	EWART	1471	Smithfield School Dept.	PRSB	15.00	15.00	
ROGER	A	RENZI	1411	Pawtucket School Dept.	PRSB	15.00	15.00	
VIRGINIA	M	RIMAY	1281	Johnston School Dept.	PRSB	15.00	15.00	
William	F	LYONS	1091	Coventry Public Schools	PRSB	15.00	15.00	
GIUSEPPE		DISERIO	1473	Smithfield School Dept. (NC)	PRMS	14.50	14.50	
Jayne	S	BAILEY	1091	Coventry Public Schools	PRSB	14.50	2.50	
KATHLEEN	F	UPDEGROVE	1351	Newport School Dept.	PRSB	14.50	12.00	
KATHLEEN	F	UPDEGROVE	1421	Portsmouth School Dept.	PRSB	14.50	14.50	
NANCY	H	WHITE	1351	Newport School Dept.	PRSB	14.50	14.50	
PAULA	J	CLARK	1571	Warwick School Dept.	PRSB	14.50	14.00	
HELEN	A	D ANDREA	1441	Providence School Dept.	PRAM	14.00	14.00	
KAREN		FOX	1491	South Kingstown School Dept.	PRSB	14.00	14.00	
Marilyn		PELLERIN	1023	Bristol Warren Reg. School Dist	PRMS	13.50	13.50	
ANN	M	FAGAN	1353	Newport School Dept. (NC)	PRMS	13.50	13.50	
BARBARA		SWIENTON	1341	New Shoreham School Dist.	PRAM	13.00	13.00	
ALISE	L	RAMOS	1163	East Providence Schools (NC)	PRMS	13.00	3.00	
BARRY	L	LIAL	1441	Providence School Dept.	PRAM	13.00		

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;

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First Name	Initial	Last Name	Employer		Title--	Number of Days -		Footnote
			Code	Employer Name		Function	Split	
BARRY	L	LIAL	1441	Providence School Dept.	PRSB	13.00	10.00	
GEORGE		MCLAUGHLIN	1441	Providence School Dept.	PRAM	13.00	9.00	
GEORGE		MCLAUGHLIN	1441	Providence School Dept.	PRSB	13.00	4.00	
MAUREEN	C	GREAVES	1061	Central Falls Collaborative	PRAM	13.00	13.00	
STEPHEN	A	IANNOTTI	1441	Providence School Dept.	PRAM	13.00	13.00	
ANNE	F	OLIVEIRA	1321	Middletown Public Schools	PRSB	12.50	12.50	
ELAINE		SPARLING	1611	West Warwick School Dept.	PRSB	12.50	12.50	
JOHN	P	MEDEIROS	1001	Barrington Public Schools	PRSB	12.50	12.50	
Shirley-Ann		Hall	1091	Coventry Public Schools	PRSB	12.50	12.50	
BRUCE	J	MACKSOUD	1381	North Providence School Dept.	PRSB	12.00	12.00	
MARY LOU		RIKER	1001	Barrington Public Schools	PRSB	12.00	4.00	
MARY LOU		RIKER	1281	Johnston School Dept.	PRSB	12.00	8.00	
SARAH	S	GOLDBERG	1471	Smithfield School Dept.	PRSB	12.00	12.00	
SUSAN		CHABOT	1611	West Warwick School Dept.	PRSB	12.00	12.00	
CYNTHIA		NEDWIDEK	1621	Westerly School Dept.	PRSB	11.00	11.00	
CYNTHIA	L	PIEZ-PACHECO	1491	South Kingstown School Dept.	PRSB	11.00	11.00	
DEBRA	A	YRCHIK-SHOEMAKE	1491	South Kingstown School Dept.	PRSB	11.00	11.00	
DENISE	M	CARPENTER	1441	Providence School Dept.	PRAM	11.00	1.00	
DENISE	M	CARPENTER	1441	Providence School Dept.	PRSB	11.00	10.00	
DIANE	M	FARREN	1571	Warwick School Dept.	PRSB	11.00	11.00	
JANE	A	MAINELLA	1571	Warwick School Dept.	PRSB	11.00	11.00	
JANICE	I	SILVIA	1023	Bristol Warren Reg. School Dist	PRMS	11.00	11.00	
JOAN	B	WHITTY	1321	Middletown Public Schools	PRSB	11.00	11.00	
JOHN	D	RILEY	1471	Smithfield School Dept.	PRSB	11.00	11.00	
CAROL	A	BOTELHO	1161	East Providence Schools	PRSB	10.50	10.50	
DENNIS	J	REBELO	1413	Pawtucket School Dept. (NC)	PRMS	10.50	10.50	
LINDA	M	SULLIVAN	1471	Smithfield School Dept.	PRSB	10.50	2.00	
LINDA	M	SULLIVAN	2000	State	PRSB	10.50	2.50	
LINDA	M	SULLIVAN	2010	Correctional Officers	PRAM	10.50	1.00	
LINDA	M	SULLIVAN	2010	Correctional Officers	PRSB	10.50	5.00	

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PRMS--Municipal in the School

First Name	Initial	Last Name	Employer		Employer Code	Employer Name	Title--	Number of Days -		Footnote
			Code	Name				Function	of Days	
MARY	V	MCSALLY	1331	Narragansett School Dept.	1331	Narragansett School Dept.	PRSB	10.50	10.50	10.50
CHRISTINE		SPADOLA TUONI	1491	South Kingstown School Dept.	1491	South Kingstown School Dept.	PRSB	10.00	10.00	10.00
JACQUELYN		LEFORT	1061	Central Falls Collaborative	1061	Central Falls Collaborative	PRAM	10.00	10.00	10.00
JANET	L	SIMAS	1571	Warwick School Dept.	1571	Warwick School Dept.	PRSB	10.00	10.00	10.00
KIM	L	KIMBALL	1621	Westerly School Dept.	1621	Westerly School Dept.	PRSB	10.00	10.00	10.00
LISA	J	TUTAJ-HARPIN	1031	Burrillville School Dept.	1031	Burrillville School Dept.	PRAM	10.00	10.00	8.50
LISA	J	TUTAJ-HARPIN	1033	Burrillville School Dept. (NC)	1033	Burrillville School Dept. (NC)	PRMS	10.00	10.00	1.50
Shirley		ST. AMAND	1091	Coventry Public Schools	1091	Coventry Public Schools	PRSB	10.00	10.00	10.00
Diane	H	GALLISON	1021	Bristol Warren Reg. School Dist	1021	Bristol Warren Reg. School Dist	PRAM	9.50	9.50	7.50
Diane	H	GALLISON	1021	Bristol Warren Reg. School Dist	1021	Bristol Warren Reg. School Dist	PRSB	9.50	9.50	2.00
JACQUELYN		LAMOUREUX	1611	West Warwick School Dept.	1611	West Warwick School Dept.	PRSB	9.50	9.50	9.50
JENNIFER	M	ROMPH	1271	Jamestown School Dept.	1271	Jamestown School Dept.	PRAM	9.50	9.50	9.50
Madlyn	C	MCARDLE	1021	Bristol Warren Reg. School Dist	1021	Bristol Warren Reg. School Dist	PRAM	9.50	9.50	4.50
Madlyn	C	MCARDLE	1021	Bristol Warren Reg. School Dist	1021	Bristol Warren Reg. School Dist	PRSB	9.50	9.50	5.00
Susan	J	ROQUE	1021	Bristol Warren Reg. School Dist	1021	Bristol Warren Reg. School Dist	PRSB	9.50	9.50	9.50
CAROLYN	L	KOENIGER	1571	Warwick School Dept.	1571	Warwick School Dept.	PRAM	9.00	9.00	3.00
CAROLYN	L	KOENIGER	1571	Warwick School Dept.	1571	Warwick School Dept.	PRSB	9.00	9.00	6.00
EMILY	J	SPINARD	1021	Bristol Warren Reg. School Dist	1021	Bristol Warren Reg. School Dist	PRSB	9.00	9.00	9.00
EUNICE	A	GIZZI	1321	Middletown Public Schools	1321	Middletown Public Schools	PRSB	9.00	9.00	9.00
MAUREEN		MCCONNELL	1061	Central Falls Collaborative	1061	Central Falls Collaborative	PRAM	9.00	9.00	9.00
PATRICIA	M	MACE	1353	Newport School Dept. (NC)	1353	Newport School Dept. (NC)	PRMS	9.00	9.00	9.00
CELESTE	M	POTTER	1473	Smithfield School Dept. (NC)	1473	Smithfield School Dept. (NC)	PRMS	8.50	8.50	8.50
JANE	C	VALLIERE	1331	Narragansett School Dept.	1331	Narragansett School Dept.	PRSB	8.50	8.50	8.50
MARTHA	L	BATON	1071	Charlho Regional School Dist.	1071	Charlho Regional School Dist.	PRSB	8.50	8.50	8.50
Mary	A	JOHNSTON	1091	Coventry Public Schools	1091	Coventry Public Schools	PRSB	8.50	8.50	8.50
CAROLYN	J	ROSEMAN	1281	Johnston School Dept.	1281	Johnston School Dept.	PRSB	8.00	8.00	8.00
JAMES		D'AMBRA	1441	Providence School Dept.	1441	Providence School Dept.	PRAM	8.00	8.00	2.00
JAMES		D'AMBRA	1441	Providence School Dept.	1441	Providence School Dept.	PRSB	8.00	8.00	6.00
JOSEPH		BRAGANCA	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	8.00	8.00	8.00
JOYCE		AVEDISIAN	1411	Pawtucket School Dept.	1411	Pawtucket School Dept.	PRSB	8.00	8.00	8.00

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
PRMS--Municipal in the School

First Name	Initial	Last Name	Employer		Title-- Function	Number of Days -		Footnote
			Code	Employer Name		Number of Days	Split	
SHEILA	A	SULLIVAN	1491	South Kingstown School Dept.	PRAM	8.00	8.00	
ANNE MARIE		COLE	1611	West Warwick School Dept.	PRSB	7.50	7.50	
CAROL		LANOIE	1631	Woonsocket School Dept.	PRSB	7.50	7.50	
THOMAS	J	ROSSI	1381	North Providence School Dept.	PRSB	7.50	4.00	
THOMAS	J	ROSSI	2000	Davies Vocational	PRAM	7.50	2.50	
THOMAS	J	ROSSI	2000	Davies Vocational	PRSB	7.50	1.00	
COLLEEN	A	CURIS	1631	Woonsocket School Dept.	PRSB	7.00	7.00	
DIANE	M	DESIMONE	1441	Providence School Dept.	PRAM	7.00	2.00	
DIANE	M	DESIMONE	1441	Providence School Dept.	PRSB	7.00	5.00	
ELAINE	A	ALMAGNO	1441	Providence School Dept.	PRAM	7.00	7.00	
GLORIA		CIESYNSKI	1061	Central Falls Collaborative	PRAM	7.00	7.00	
JAMES	E	MURANO	1491	South Kingstown School Dept.	PRSB	7.00	7.00	
JUDY		GRISEVICH	1271	Jamestown School Dept.	PRSB	7.00	7.00	
JULIO		SEQUEIRA	1411	Pawtucket School Dept.	PRSB	7.00	7.00	
MARY	C	LOMBARDO	1441	Providence School Dept.	PRSB	7.00	7.00	
N.DIANE		DAVIS	1023	Bristol Warren Reg. School Dist	PRMS	7.00	7.00	
NATALIE		BIELAWSKI	1441	Providence School Dept.	PRAM	7.00	-10.00	
NATALIE		BIELAWSKI	1441	Providence School Dept.	PRSB	7.00	17.00	
Patricia	A	PALMIERI	1091	Coventry Public Schools	PRSB	7.00	7.00	
REBECCA		JOHNSON	1491	South Kingstown School Dept.	PRSB	7.00	7.00	
BARBARA		LANZIRE	1021	Bristol Warren Reg. School Dist	PRSB	6.50	6.50	
JUDITH	A	CALABRETTA	1321	Middletown Public Schools	PRSB	6.50	6.50	
CAROLE	A	PICHETTE	1633	Woonsocket School Dept. (NC)	PRMS	6.00	6.00	
CHRISTINE	A	GEISELMAN	1411	Pawtucket School Dept.	PRSB	6.00	6.00	
CLAIRE		SCHWARZBACH	1491	South Kingstown School Dept.	PRSB	6.00	6.00	
DOLORES ANN		BERUBE	1161	East Providence Schools	PRSB	6.00	6.00	
JEANNE		TSAKERES	1331	Narragansett School Dept.	PRSB	6.00	6.00	
JOSEPH	R	PIRRAGLIA	1281	Johnston School Dept.	PRSB	6.00	6.00	
MARIE		RILEY	1411	Pawtucket School Dept.	PRSB	6.00	6.00	
MARIE	D	RADOCCIA	1091	Coventry Public Schools	PRSB	6.00	6.00	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
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First Name	Initial	Last Name	Employer Code	Employer Name	Title-- Function	Number of Days -		Footnote
						of Days	Split	
MARY	L	SODERLUND	1021	Bristol Warren Reg. School Dist	PRAM	6.00		6.00
MYRA	A	JEROZAL	1461	Scituate School Dept.	PRSB	6.00		6.00
NANCY	R	RADCLIFFE	1091	Coventry Public Schools	PRSB	6.00		6.00
PRISCILLA	A	BOGDAN	1471	Smithfield School Dept.	PRSB	6.00		6.00
SHELLEY	L	TRAGAR	1281	Johnston School Dept.	PRSB	6.00		6.00
MARLEE	T	LACOSTE	1341	New Shoreham School Dist.	PRAM	5.50		5.50
CATHERINE	A	BURDICK	1091	Coventry Public Schools	PRSB	5.00		5.00
CHRITINE		NELSON	1091	Coventry Public Schools	PRSB	5.00		5.00
KATHRYN	G	SMITH	1491	South Kingstown School Dept.	PRSB	5.00		5.00
Paula	T	RICHARDS-SOUSA	1021	Bristol Warren Reg. School Dist	PRAM	5.00		5.00
RAYMOND		MCGEE	1411	Pawtucket School Dept.	PRSB	5.00		5.00
JANICE	L	MOWRY	1191	Foster School Dist.	PRSB	4.50		4.50
JOYCE	P	FINLEY	1381	North Providence School Dept.	PRSB	4.50		4.50
Maria Grace		ARRUDA	1021	Bristol Warren Reg. School Dist	PRAM	4.50		1.00
Maria Grace		ARRUDA	1021	Bristol Warren Reg. School Dist	PRSB	4.50		3.50
CLAIRE	P	ELLIS	1321	Middletown Public Schools	PRSB	4.00		4.00
DENNIS		MCNAMARA	1571	Warwick School Dept.	PRSB	4.00		4.00
DIANNA		BEAULIEU	1411	Pawtucket School Dept.	PRSB	4.00		4.00
DONALD	P	FAELLA	1001	Barrington Public Schools	PRSB	4.00		4.00
EILEEN		MALAFRANTE	1021	Bristol Warren Reg. School Dist	PRSB	4.00		4.00
KATHLEEN		REFICI	1471	Smithfield School Dept.	PRSB	4.00		4.00
MARGARET	A	MCKIERNAN	1021	Bristol Warren Reg. School Dist	PRSB	4.00		4.00
MAUREEN	G	VILLENEUVE	2010	Correctional Officers	PRAM	4.00		1.00
MAUREEN	G	VILLENEUVE	2010	Correctional Officers	PRSB	4.00		3.00
NANCY	A	TEVES	1021	Bristol Warren Reg. School Dist	PRAM	4.00		4.00
Paulette	M	Barden	1063	Central Falls School Dist. (NC)	PRMS	4.00		4.00
KATHRYN	F	NOLETT	1471	Smithfield School Dept.	PRSB	3.50		3.50
MARY PATRIC	P	BOYNTON	1331	Narragansett School Dept.	PRSB	3.50		3.50
ROBERT	S	AUTIERI	2010	Correctional Officers	PRAM	3.50		1.00
ROBERT	S	AUTIERI	2010	Correctional Officers	PRSB	3.50		2.50

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;

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First Name	Initial	Last Name	Employer		Title--	Number of Days -		Footnote
			Code	Employer Name		Function	Split	
ALBERT	S	MALKASIAN	2000	RI DOC	PRSB	3.00	3.00	
CAROLE		MARSHALL	1441	Providence School Dept.	PRAM	3.00	3.00	
Diane		Mac LEAN	1071	Charlho Regional School Dist.	PRSB	3.00	3.00	
ELAINE	C	PETROCELLI	1091	Coventry Public Schools	PRSB	3.00	3.00	
HARRY		POTTER	1441	Providence School Dept.	PRAM	3.00	3.00	
Janet	E	MANSOUR	1611	West Warwick School Dept.	PRSB	3.00	3.00	
JOSEPH	J	MOLLICA	1441	Providence School Dept.	PRAM	3.00	3.00	
LINDA		WHITE	1611	West Warwick School Dept.	PRSB	3.00	3.00	
MARIA	A	TASCA	1571	Warwick School Dept.	PRSB	3.00	3.00	
MARILYN	M	BUCHANAN	1281	Johnston School Dept.	PRSB	3.00	3.00	
Patricia		Reilly	1441	Providence School Dept.	PRAM	3.00	3.00	
RAYMOND		PITA	1411	Pawtucket School Dept.	PRSB	3.00	3.00	
ROBERT	P	MARTIN	1063	Central Falls School Dist. (NC)	PRMS	3.00	3.00	
SHERRYL		CARLOMUSTO	1461	Scituate School Dept.	PRSB	3.00	3.00	
SHIRLEY	K	VENTRONE	1091	Coventry Public Schools	PRSB	3.00	3.00	
JANICE	M	ALLSWORTH	1463	Scituate School Dept. (NC)	PRMS	2.50	2.50	
MARILYN		PERRY	1161	East Providence Schools	PRSB	2.50	2.50	
RICHARD	P	ANTERNI	1301	Lincoln School Dept.	PRSB	2.50	2.50	
Alice Janet		Bliss	1091	Coventry Public Schools	PRSB	2.00	2.00	
CATHERINE		LAPIERRE	1413	Pawtucket School Dept. (NC)	PRMS	2.00	2.00	
Charles		MELLO	1021	Bristol Warren Reg. School Dist	PRSB	2.00	2.00	
DEBRA	A	COLAVECCHIO	1321	Middletown Public Schools	PRSB	2.00	2.00	
DIANE	C	GUAY	1461	Scituate School Dept.	PRSB	2.00	2.00	
Donald	E	WOODS	1023	Bristol Warren Reg. School Dist	PRMS	2.00	2.00	
ELLEN	A	JENNINGS	1023	Bristol Warren Reg. School Dist	PRMS	2.00	2.00	
JEANNE	M	LESSARD	1091	Coventry Public Schools	PRSB	2.00	2.00	
JUDITH	D	SORMANTI	1381	North Providence School Dept.	PRSB	2.00	2.00	
KATHLEEN	D	HUDSON	1091	Coventry Public Schools	PRSB	2.00	2.00	
KATHLEEN	M	WALSH	1471	Smithfield School Dept.	PRSB	2.00	2.00	
LUCILLE		FURIA	1441	Providence School Dept.	PRSB	2.00	2.00	

Teacher Retirees and Non-Certified Retirees Working '16-'17 School Year; PRSB--Substitute; PRAM--Vacancy; PRIS--State School Vacancy;
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First Name	Initial	Last Name	Employer Code	Employer Name	Title-- Function	Number of Days -		Footnote
						Number of Days	Split	
MARIA	G	JONES	1621	Westerly School Dept.	PRSB	2.00	2.00	2.00
STEPHANIE	A	WATSON	1571	Warwick School Dept.	PRSB	2.00	2.00	2.00
THOMAS	R	HINES	1471	Smithfield School Dept.	PRSB	2.00	2.00	2.00
MARTHA	M	ANDERSON	1331	Narragansett School Dept.	PRSB	1.50	1.50	1.50
SUSAN	R	DONOVAN	1021	Bristol Warren Reg. School Dist	PRSB	1.50	1.50	1.50
ANGELA	C	HAWKINS	1021	Bristol Warren Reg. School Dist	PRAM	1.00	1.00	1.00
ANNE-MARIE		KACHANIS	1461	Scituate School Dept.	PRSB	1.00	1.00	1.00
CATHERINE	L	SCAMPOLI	1161	East Providence Schools	PRSB	1.00	1.00	1.00
CLARINDA		ANTUNES	1471	Smithfield School Dept.	PRSB	1.00	1.00	1.00
DEBORAH	J	PISTACCHIO	1381	North Providence School Dept.	PRAM	1.00	1.00	1.00
DOLORES		STOWIK	1471	Smithfield School Dept.	PRSB	1.00	1.00	1.00
Donna		AMARAL	1023	Bristol Warren Reg. School Dist	PRMS	1.00	1.00	1.00
EDWARD	J	FERRARIO	1271	Jamestown School Dept.	PRSB	1.00	1.00	1.00
GERALDINE	A	PIRRI	1441	Providence School Dept.	PRAM	1.00	1.00	1.00
JACQUELINE	A	TAYLOR	1021	Bristol Warren Reg. School Dist	PRAM	1.00	1.00	1.00
LINN	B	CLIDENCE	1091	Coventry Public Schools	PRSB	1.00	1.00	1.00
MARCIA		KENYON	1331	Narragansett School Dept.	PRSB	1.00	1.00	1.00
NANCY	A	GAGE	1161	East Providence Schools	PRSB	1.00	1.00	1.00
RUDOLPH	J	PALUMBO	1471	Smithfield School Dept.	PRSB	1.00	1.00	1.00
ARLINE	M	MONTECALVO	1021	Bristol Warren Reg. School Dist	PRSB	0.50	0.50	0.50
GAIL	B	MCDONALD	1301	Lincoln School Dept.	PRSB	0.00	0.00	0.00

PRME--Retirees Working in Municipalities in 2017 Calendar Year

First Name	Initial	Last Name	Employer Code	Employer Name	Number of		Footnote
					Days	Split	
THOMAS	D	GORDON	1566	Warren Housing Auth.	39.00	39.00	
RICKY	A	DESIMONE	1112	City of Cranston	25.00	25.00	
MICHAEL	A	DEMELLO	1015	Bristol Fire Dept.	16.00	16.00	
ALFRED A		STORTI	1112	City of Cranston	12.00	12.00	
JANET	M	PRAIRIE	1478	Town of Smithfield (COLA)	10.50	10.50	
ESMERALDA	M	LAWRENCE	1019	Town of Bristol EE Highway	10.00	10.00	
EILEEN	C	MANCHESTER	1019	Town of Bristol EE Highway	9.00	9.00	
JOHN	M	CARPINELLI	1492	Town of South Kingstown	8.00	8.00	
RICHARD	S	SILVIA	1007	Barrington COLA NonCertifieds	8.00	8.00	
DOROTHY	A	MASOIAN	1112	City of Cranston	7.50	7.50	
PAULINE	S	PAYEUR	1632	City of Woonsocket	7.50	7.50	
GAIL		TOPAKIAN	1112	City of Cranston	7.00	7.00	
EDWARD	R	FRATELLI	1478	Town of Smithfield (COLA)	6.50	6.50	
ELIZABETH	W	CAMBRA	1012	Town of Bristol	6.00	6.00	
LOUIS	A	LANNI	1382	Town of North Providence	6.00	6.00	
JOHN		ZINNI	1009	Barrington COLA Group	5.00	5.00	
KATHERINE	A	MURRAY	1012	Town of Bristol	5.00	5.00	
LAWRENCE		DAGLIERI	1009	Barrington COLA Group	4.50	4.50	
DAVID	J	KENNEALLY	1492	Town of South Kingstown	4.00	4.00	
LINDA	J	FONTAINE	1632	City of Woonsocket	4.00	4.00	
REBECCA	A	BENNETT	1492	Town of South Kingstown	4.00	4.00	
SUZANNE		KOGUT	1478	Town of Smithfield (COLA)	4.00	4.00	
WILLIAM	J	FLATLEY	1492	Town of South Kingstown	4.00	4.00	
JANET	C	RICHARDSON	1009	Barrington COLA Group	3.60	3.60	
JANET	A	EBERTS	1478	Town of Smithfield (COLA)	2.00	2.00	
RONALD	P	KOMIEGA	1562	Town of Warren	2.00	2.00	
RONALD	P	KOMIEGA	1562	Town of Warren	2.00	2.00	
CYNTHIA	J	OLOBRI	1492	Town of South Kingstown	1.50	1.50	
PETER	T	MCCLANAGHAN	1492	Town of South Kingstown	1.00	1.00	

Retirees Working Under 15K at State Colleges and Under 15K as RN's -- 2017
PRST--State Colleges/Universities; PRNR--Registered Nurses Working in State Facility (employer code = 2000)

First Name	Initial	Last Name	Employer Name	Title/Function	Earnings -		Footnote
					Earnings	Split	
FRANCIS	C	WHITE	CCRI	PRST	\$ 108.16	\$ 108.16	
JOSEPH	B	GAUDIOSI	URI	PRST	\$ 384.62	\$ 384.62	

ERSRI NEW RETIREE REPORT FOR FEBRUARY 2017

Name	Initial	Rtmt Type	Rtmt Option	Retirement Dat	Plan Code	Employer	Age	Initial Check	Annual Pension	Credited Service
SYLVIA, PAUL	E	Service	SRA	12/04/16	ERS	State Employee DOT	62	\$2,714.72	\$32,576.64	25.35
TAHMASSIAN, ANDRANIK		Service	Option1	12/25/16	ERS	State Employee DOT	72	\$3,374.60	\$40,495.20	27.82
WAITE, LINDA	P	Service	SRA	12/01/16	ERS	State Employee DHS	66	\$1,661.84	\$19,942.08	27.96
WHITMAN, ETHEL	S	Service	SRA	12/24/16	ERS	State Employee DHS	89	\$1,896.32	\$22,755.84	26.92
Backand, Marc	B	Service	Option1	01/21/17	ERS	Teacher Warwick School Dept.	65	\$963.38	\$11,560.56	11.75
Ennis, Bruce	A	Service	SRA	11/29/16	ERS	Teacher Cumberland School Dept.	62	\$2,699.94	\$32,399.28	24.25
Ensey, Sandra	A	Service	SRA	12/08/16	ERS	Teacher Warwick School Dept.	65	\$2,089.61	\$25,075.32	19.00
Fee, Christopher	D	Disability	Option1	10/18/16	ERS	Teacher Charlho Regional School Dist	62	\$1,238.98	\$14,867.76	15.00
FIELD, LINDA	E	Service	SRA	01/01/17	ERS	Teacher Pawtucket School Dept.	64	\$2,636.79	\$31,641.48	24.00
HART, GERIANN		Disability	Option2	09/03/16	ERS	Teacher Johnston School Dept.	51	\$1,750.68	\$21,008.16	22.00
MARSELLA, SUZANN		Disability	SRA	12/18/13	ERS	Teacher Woonsocket School Dept.	55	\$2,918.46	\$35,021.52	9.09
MATHER, KIMBERLY		Service	Option2	11/29/16	ERS	Teacher South Kingstown School Dept	56	\$3,420.85	\$41,050.20	28.50
PAYLOW, Susan		Service	Option1	11/29/16	ERS	Teacher Central Falls Collaborative	65	\$1,492.40	\$17,908.80	16.00
RIGNEY, STEPHANIE	A	Disability	Option1	11/10/16	ERS	Teacher Providence School Dept.	54	\$1,237.94	\$14,855.28	14.39
Roy, Tammy		Disability	Option1	12/21/16	ERS	Teacher Woonsocket School Dept.	41	\$1,620.31	\$19,443.72	17.93
VICIOSO, ROSENDO	D	Service	SRA	02/02/16	ERS	Teacher Providence School Dept.	66	\$1,071.43	\$12,857.16	11.25
BOYLE, STEPHEN		Service	SRA	12/10/16	MERS	General Municipal City of Newport	60	\$2,801.05	\$33,612.60	33.84
CELESTE, CHERYL	A	Service	SRA	01/20/17	MERS	General Municipal Cranston School Dept. (NC)	65	\$552.92	\$6,635.04	18.16
DEDENTRO, PAULETTE	V	Service	Option1	01/01/17	MERS	General Municipal North Smithfield School Dept	62	\$714.04	\$8,568.48	22.94
DESROCHERS, DENNIS		Service	SRA	01/10/17	MERS	General Municipal City of Woonsocket	61	\$1,002.80	\$12,033.60	32.36
DOVAL, MURIEL	K	Service	Option1	02/02/17	MERS	General Municipal Newport School Dept. (NC)	66	\$620.81	\$7,449.72	19.11
EVANS, TODD		Disability	Option1	12/15/16	MERS	General Municipal Town of South Kingstown	53	\$2,217.28	\$26,607.36	14.08
FAGNANT, LOIS	A	Service	SRA	12/03/16	MERS	General Municipal Cranston School Dept. (NC)	65	\$2,530.22	\$30,362.64	24.67
FORD, BARRY	J	Service	SRA	01/01/17	MERS	General Municipal Newport Housing Auth.	59	\$1,949.16	\$23,389.92	16.74
GOMES, JANICE		Service	SRA	01/01/17	MERS	General Municipal Town of Tiverton	66	\$2,515.55	\$30,186.60	31.33
Hannon, Sandra	L	Service	SRA	11/01/16	MERS	General Municipal Centra Falls School Dist. (NC)	63	\$594.75	\$7,137.00	14.57
Januario, Marguerite		Service	Option1	01/07/17	MERS	General Municipal Bristol Warren Reg. School D	59	\$916.42	\$10,997.04	22.47
JENISON, GARY		Service	Option1	01/17/17	MERS	General Municipal Cranston Housing Auth.	64	\$1,251.58	\$15,018.96	19.55
LECLAIRE, LEONARD		Service	SRA	12/09/16	MERS	General Municipal Pawtucket School Dept. (NC)	60	\$3,228.14	\$38,737.68	23.40
IMARQUIS, CHRISTINE	A	Service	SRA	12/16/16	MERS	General Municipal City of Newport	59	\$1,890.10	\$22,681.20	25.98
MASOIAN, DOROTHY	A	Service	SRA	12/10/16	MERS	General Municipal City of Cranston	77	\$2,846.55	\$34,158.60	34.53
MASSED, JOHN		Service	Option1	12/03/16	MERS	General Municipal Town of Warren	64	\$2,738.80	\$32,865.60	25.36
MICALOON, PAULA	A	Service	SRA	12/17/16	MERS	General Municipal Pawtucket Housing Auth.	71	\$3,142.08	\$37,704.96	33.09
MURRAY, L VINCENT		Service	Option1	01/21/17	MERS	General Municipal Town of South Kingstown	61	\$3,409.13	\$40,909.56	24.74
Oppenheimer, Henry		Service	SRA	12/01/16	MERS	General Municipal Town of Richmond	67	\$51.35	\$616.20	23.00
PISCIONE, SANDRA	M	Service	Option1	01/04/17	MERS	General Municipal Johnston School Dept. (NC)	64	\$409.09	\$4,909.08	16.65
SMITH, JOAN	L	Service	SRA	11/12/16	MERS	General Municipal City of Cranston	67	\$2,372.25	\$28,467.00	27.43
VACCHIONE, LINDA	A	Service	SRA	01/01/17	MERS	General Municipal Newport School Dept. (NC)	63	\$242.80	\$2,913.60	10.06
THIBAULT, WILLIAM	D	Disability	Option1	01/22/17	MERS	Police and Fire Cranston Fire	50	\$4,398.41	\$52,780.92	16.30
CAISSE, LINDA	C	Service	SRA	01/01/17	MERS	General Municipal Town of North Kingstown	59	\$2,585.38	\$31,024.56	29.47
NUNES, JOSEPH		Service	SRA	12/17/16		General Municipal Town of Middletown	64	\$2,778.91	\$33,346.92	30.58

EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF RHODE ISLAND

REPORT AS OF MARCH 2017

ON LITIGATED MATTERS FILED BY OR AGAINST ERSRI

I. MATTERS WITH PROCEDURAL OR SUBSTANTIVE CHANGES

Timothy Koback v. Employees' Retirement System of Rhode Island

Workers' Compensation Court; No. 201607082

Change. Timothy Koback, a Woonsocket firefighter, appeals the denial of his application for an accidental disability pension pursuant to R.I.G.L. §45-21.2-9 to the Workers' Compensation Court. ERSRI has filed the designation of record with the court. A pre-trial conference was conducted on February 13, 2016, and has been scheduled for a further pre-trial conference on March 29, 2016.

Kevin Lang v. ERSRI; Workers' Compensation Court; WCC No. 201504163
Retirement Board v. Lang; Providence Superior Court; PC No. 2015-3380

Change. Kevin Lang, a Cranston firefighter, appeals the denial of his application for an accidental disability pension pursuant to R.I.G.L. §45-21.2-9. A pre-trial conference took place on October 28, 2015, at which time the Court denied Mr. Lang's petition for benefits. Mr. Lang thereafter claimed a trial with regard to this decision. On September 9, 2016, the Court issued a decree and decision overturning the Retirement Board, and awarding accidental disability benefits to Mr. Lang, and a counsel fee to his attorney. The Retirement Board has filed a notice of appeal. Mr. Lang has filed a Petition to Enforce payment of the counsel fee, which was heard on December 12, 2016; the court awarded a counsel fee of \$500.00, which has been paid. The matter has been scheduled for oral argument on April 5 at 2PM.

Linda Acciardo v. Employee's Retirement System of Rhode Island

Providence County Superior Court CA No. PC 10-2822

Change. This action arises out of the denial by the Retirement Board of Ms. Acciardo's application for accidental disability retirement. Ms. Acciardo was a Chief Inspector for the R.I. Department of Health. An Answer was filed on May 19, 2010. The Designation of Record of Administrative Appeal was filed on June 17, 2010. On August 24, 2012, Mr. Justice Van Cuyghen remanded the matter to the Retirement Board for further proceedings. On July 9, 2014, the Retirement Board denied Ms. Acciardo's application. On July 28, 2014, Ms. Acciardo filed a second appeal to the Superior Court. On February 17, 2017, the Court (Van Cuyghen, J.) issued a decision affirming the Retirement Board's decision. Ms. Acciardo

has filed a motion to reconsider.

Linda Resnick v. Retirement Board of the Employees Retirement System of Rhode Island

Providence County Superior Court CA No. _____

New action. Plaintiff challenges the Retirement Board's decision to deny her request for attorneys' fees pursuant to the Equal Access to Justice for Small Businesses and Individuals Act, in connection with her administrative appeal of a Retirement Board decision related to certain post-retirement employment.

II. MATTERS WITH NO PROCEDURAL OR SUBSTANTIVE CHANGES

Sandra Tiernan v. Frank Caprio *et al.*

Providence County Superior Court CA No. PC 09-7242

No Change. This declaratory judgment action arises out of the setoff of workers compensation benefits from disability pension benefits. A Stipulation was filed on January 27, 2010 in the administrative appeal prematurely filed with the Superior Court, postponing the filing of an Answer and the Administrative Record pending the conclusion of the administrative proceedings. The Retirement Board has affirmed the administrative actions taken by the Executive Director. The matter has been fully briefed, and a motion to assign for decision has been filed. Ms. Tiernan has filed a motion to amend her complaint to include a claim based on an administrative appeal under the Administrative Procedures Act. The motion to amend was granted, and the Retirement Board has filed an answer to the amended complaint.

Retirement Board v. Fred Randall

Providence County Superior Court C.A. No. PC15-0203

No Change. This is an action to revoke or reduce Mr. Randall's pension pursuant to the Public Employee Pension Revocation and Reduction Act. Mr. Randall, a former employee of the University of Rhode Island, pled *nolo contendere* to a charge of conversion by a state employee. A hearing wherein Mr. Randall was required to appear and show cause why his pension benefits should not be suspended pending adjudication of the merits of the action took place on March 2, 2014. The Court determined that cause was not shown by Mr. Randall, and ordered that his pension benefits be immediately suspended pending adjudication of the action on the merits. An

evidentiary hearing was conducted on July 7, 2016 at 2:00 PM. The court has issued a decision revoking Mr. Randall's pension in full, and awarding Mrs. Randall \$350.00 per month from the date of trial through December 31, 2016, and \$1,667.00 per month from January 1, 2017 until December 31, 2026 as an innocent spouse, conditioned upon her paying said sums over to URI to satisfy Mr. Randall's restitution payments. The court ruled that thereafter, once the restitution obligations have been satisfied, she should receive \$500.00 per month. The parties are in the process of seeking a conference with the court to clarify certain aspects of the court's order.

John R. Grasso v. Gina M. Raimondo, et al.

Providence County Superior Court C.A. No.: PC 2013-3121

No Change. Plaintiff is a disability retiree who brought this action against the Retirement System, the General Treasurer in her individual and official capacities, and the Executive Director in his individual and official capacities, seeking damages, and a determination that the Retirement System cannot require him to undergo an annual medical examination, or make adjustments to his disability allowance based on earned income. In a simultaneous administrative proceeding, on September 10, 2014 the Retirement Board affirmed the Hearing Officer's decision upholding the administrative actions of the Executive Director. On October 8, 2014, Mr. Grasso appealed the Board's decision to the Superior Court, and by agreement of the parties the City of Cranston intervened in the action. On November 5, 2015, the Superior Court issued a declaratory judgment that the System cannot require Mr. Grasso to undergo annual medical examinations, or adjust his pension based on outside earnings. The System has filed a Notice of Appeal, and a Petition for Issuance of a Writ of Certiorari with the Rhode Island Supreme Court. The Rhode Island Supreme Court has granted certiorari, and assigned the matter for full briefing.

Margaret Provoyeur v. Employees' Retirement System of the State of Rhode Island.

Providence Superior Court; C.A. No. PC 2015-2609

No Change. Plaintiff, a Providence school teacher, appeals the denial of her application for an accidental disability pension. On August 24, 2016, Plaintiff filed a motion to remand the matter to the Disability Subcommittee for the consideration of additional evidence. ERSRI filed an objection, and on October 28, 2016, the Superior Court denied the motion to remand.

Robert L. Lincourt vs. Employees' Retirement System of Rhode Island

Providence County Superior Court; C.A. No. PC2015-0602

No Change. Plaintiff, a North Providence firefighter, appeals the denial of his application for an accidental disability pension. The System's Answer and the Designation of Administrative Record have been filed with the Court. Mr. Lincourt has filed a motion to remand the action to

the Retirement Board for the presentation of additional evidence. On July 18, 2016, Judge Taft-Carter issued a decision denying Mr. Lincourt's motion to remand.

Damon Borrelli v. Employees' Retirement System of Rhode Island (ERSRI).

Providence Superior Court; C.A. No. PC-2016-2817

No Change. Plaintiff, a South Kingstown Police Officer, appeals the denial of his application for an accidental disability pension. ERSRI has filed an Answer to Mr. Borelli's First Amended Complaint, and the Designation of Record of Administrative Appeal with the court.

The Retirement Board of the Municipal Employees' Retirement System of the State of Rhode Island v. Coventry Fire District, By and Through Frank Palin, John D'Onofrio, Brenda Rapose, and John Cook, in their Capacities as Board Members and Inhabitants of the District, Robert Catalfamo, in his Capacity as Tax Assessor/Collector of the District, and David Krekorian, in his Capacity as Treasurer of the District.

Kent County Superior Court; C.A. No. KC2015-1099

No Change. Plaintiff brings this action seeking to collect unpaid employer and employee contributions to MERS. Defendant has not answered the case, but is seeking verification of the amount of the indebtedness.

Jeanne Rossi v. Employees' Retirement System of Rhode Island

Providence County Superior Court CA No. PC 09-2607

No Change. This action arises out of the denial by the Retirement System of Ms. Rossi's application for attorney's fees pursuant to the Equal Access to Justice Act, related to the earlier denial of her application for an accidental disability pension. The Designation of Record of Administrative Appeal has been filed with the Court. The matter has been fully briefed and assigned to Mr. Justice Rubine for decision.

Jane Robinson v. Frank J. Karpinski in his capacity as Executive Director of the Employees' Retirement System of Rhode Island

Providence County Superior Court CA No. PC 09-7019

No Change. This action arises out of the denial by the Retirement System of Ms. Robinson's request to purchase service credit for time when she left teaching for maternity reasons. An Answer was filed. The Designation of Record of Administrative Appeal was filed on April 14, 2010. This matter has been fully briefed and assigned to Ms. Justice Hurst for decision.

Nancy Langlois v. Frank T. Caprio

Providence County Superior Court CA No. PC 10-0909

No Change. This action arises out of the denial by the Retirement Board of Ms. Langlois's application to receive service credit for the time she worked reduced hours after she returned from maternity leave. An Answer and the Designation of the Administrative Record have been filed. On April 26, 2012, Mr. Justice Procaccini remanded the case to the Retirement Board for further proceedings. The matter was referred to the Hearing Officer for further consideration consistent with the April 26, 2012 decision. On October 24, 2012, the Hearing Officer issued a decision again affirming the administrative decision to deny Ms. Langlois's application to receive service credit. On December 12, 2012, the Retirement Board again voted to deny Ms. Langlois's request to obtain service credit. On January 21, 2013, Ms. Langlois filed a First Amended Complaint. The Retirement System's Answer and Amended Designation of Record of Administrative Appeal were filed on January 25, 2013.

Mary Zayat v. Employees' Retirement System of Rhode Island

Providence County Superior Court CA No. 2012-0716

No Change. This Administrative Appeal arises from Mary Zayat's claims that ERSRI wrongfully denied her application for an accidental disability pension. Ms. Zayat was a Probation and Parole Counselor with the Department of Corrections. The Retirement System's Answer was filed on February 22, 2012. The Designation of Record of Administrative Appeal was filed on February 23, 2012.

Jennifer Leyden v. Employees' Retirement System of Rhode Island

Providence County Superior Court CA No. 2012-1867

No Change. This Administrative Appeal arises from Jennifer Leyden's claims that ERSRI wrongfully denied her application for an accidental disability pension. Ms. Leyden was a teacher for the Providence Public School System. The Retirement System's Answer was filed on June 4, 2012. The Designation of Record of Administrative Appeal was filed on June 5, 2012. The matter was fully briefed and assigned to Mr. Justice Lanphear for decision. On June 5, 2013, Judge Lanphear issued a decision remanding the matter to the Retirement Board for further proceedings. On July 17, 2013, ERSRI filed a petition for issuance of a writ of certiorari with the Rhode Island Supreme Court. On June 11, 2014, the Rhode Island Supreme Court issued an order denying the petition for certiorari as a final judgment has not yet entered. Ms. Leyden filed a motion with the Superior Court attempting to restrict the system's ability to obtain an

additional independent medical examination. On October 17, 2014, the Superior Court denied Ms. Leyden's motion.

Peter Ferraro v. Employees' Retirement System of Rhode Island

Washington County Superior Court CA No. 12-0674

No Change. Plaintiff, a Westerly school teacher, appeals the denial of his application for an ordinary disability pension. The Retirement System has filed an Answer and the Designation of Record of Administrative Appeal with the Court. The matter has been fully briefed.

Michael T. Brady v. Gina M. Raimondo, et al.

Providence County Superior Court C.A. No.: PC 2013-5592

No Change. Plaintiff is a disability retiree who brought this action against the Retirement System, the General Treasurer in her individual and official capacities, and the Executive Director in his individual and official capacities, seeking, *inter alia*, damages, and a determination that the Retirement System cannot make adjustments to his disability allowance based on earned income. The parties have stipulated that the Superior Court action will be held in abeyance while Plaintiff pursues administrative remedies.

Albert DelMastro, Jr. v. Employee's Retirement System of Rhode Island

Providence County Superior Court C.A. No. PC14-1850

No Change. Plaintiff, an electrician with the Community College of Rhode Island, appeals the denial of his application for an accidental disability pension. The Retirement System has filed an Answer and the Designation of Record of Administrative Appeal with the Court.

Retirement Board v. Rachel Arruda

Providence County Superior Court C.A. No. PC14-6174

No Change. This is an action to revoke or reduce Ms. Arruda's pension pursuant to the Public Employee Pension Revocation and Reduction Act. Ms. Arruda, a former employee of the City of Woonsocket, pled *nolo contendere* to a felony charge related to conversion of funds in connection with her municipal employment. At a hearing on January 29, 2015, Arruda stipulated to the suspension of her pension pending adjudication of the action.

**The Retirement Board of the Employees' Retirement System of the State of Rhode Island
v. Gerard M. Martineau**

Providence County Superior Court; C.A. No. PC 15-1268

No Change. This is an action to revoke or reduce Mr. Martineau's pension pursuant to the Public Employee Pension Revocation and Reduction Act. Mr. Martineau, a former elected official of the State of Rhode Island, pled *nolo contendere* to charges of Honest Services Mail Fraud in connection with his public employment. Mr. Martineau was served with the Complaint on April 2, 2015. Mr. Martineau has agreed to voluntarily relinquish any entitlement to a pension or other benefit he might otherwise have been entitled to, and documents necessary to obtain court approval of revocation of his pension have been sent to him for review.

Benjamin Zanni v. Town of Johnston and ERSRI

Providence County Superior Court C.A. No. PC-2015-4245

No Change. Plaintiff brought suit against the Town of Johnston and ERSRI (as an "interested party"), challenging the City's decision to deny him medical benefits pursuant to ordinance, based on his prior criminal conviction for conduct in connection with his public employment. The matter was initially removed by the City to federal court, and was then remanded to the superior court. ERSRI has filed an Answer to the Complaint.

Robert E. Falvey v. Seth Magaziner, et al.

Providence County Superior Court C.A. No.: PC 2016-0232

No Change. Plaintiff is a disability retiree who brought this action against the Retirement Board, the General Treasurer in his capacity as chair of the Board, the Executive Director, and the State of Rhode Island, seeking, *inter alia*, damages, and a determination that the Retirement System cannot make adjustments to his disability allowance based on earned income. The parties have stipulated that no Answer or other response shall be required to be filed until 30 days after Plaintiff's counsel states in writing that an Answer or other response is being requested.

Benita Fernandez v. Employee's Retirement System of Rhode Island

Providence County Superior Court C.A. No. PC2015-5489

No Change. Plaintiff, a Social Caseworker II with DCYF, appeals the denial of her application for an accidental disability pension. The Retirement System has filed an Answer and the Designation of Record of Administrative Appeal with the Court.

Anne Marcaccio v. Central Falls Board of Trustees, and its Members, Anna Cano Morales, Sonia Grace, Hugo Figueroa, Stephanie Gonzalez, Diosa Martinez, Ana Cecilia Rosado, and Ronald Pitt, the North Smithfield School Committee, and its Members, Merredythe Nadeau, Arthur Bassett, Michael Clifford, William J. O'Connell, Liane M. Jalette, James J. Lombardi, III, and John E. Raymond and the Employees' Retirement System of Rhode Island, by and through the General Treasurer, Seth Magaziner.

Providence Superior Court; C.A. No. PC 16-1210

No Change. Plaintiff has brought this declaratory judgment action, with the stated intention of obtaining records from her former employers for use in connection with administrative proceedings at ERSRI related to the calculation of service credit, and her corresponding eligibility for a service pension. ERSRI has filed an answer to the complaint.

Employees' Retirement System of Rhode Island v. Thomas McSoley, Marlene A. Palumbo, and Michael E. McSoley.

Providence Superior Court; C.A. No. PC2016-1144

No Change. ERSRI brought suit to recover monies overpaid to a direct deposit account of Thomas McSoley, following his death in 2011. The defendants are believed to be joint account holders with the decedent. ERSRI effectuated service of process, and sought an injunction preventing the defendants from accessing or withdrawing the funds. On March 18, 2016, the parties entered into a Consent Order that restrains the defendants from accessing, withdrawing, encumbering, or otherwise spending or disposing of the funds on account until further order of the Court.

Alfred Benjamin v. Seth Magaziner, et al.

Providence County Superior Court C.A. No.: PC 2016-4467

No Change. Plaintiff is a disability retiree who brought this action against the Retirement Board, the General Treasurer in his capacity as chair of the Board, the Executive Director, and the State of Rhode Island, seeking, *inter alia*, damages, and a determination that the Retirement System cannot make adjustments to his disability allowance based on earned income. The parties have stipulated that no Answer or other response shall be required to be filed until 30 days after Plaintiff's counsel states in writing that an Answer or other response is being requested.

Emile E. Ziadeh v. Employees' Retirement System of Rhode Island Board.

Providence Superior Court; C.A. No. PC 2016-4629

No Change. Plaintiff, a former state employee, appeals the denial of his application for an accidental disability pension. The parties are in the process of briefing the issues on appeal.

**STATE OF RHODE ISLAND
INVESTMENT COMMISSION MEETING**

**DATA AT
January 31st, 2017
February 22nd, 2017
MEETING**

MEMBERS OF THE STATE INVESTMENT COMMISSION

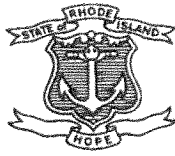
Honorable Seth Magaziner, Chair

**Mr. Robert K. Benson
Mr. J. Michael Costello
Mr. Thomas P. Fay
Mr. Frank J. Karpinski
Ms. Marie Langlois**

**Ms. Sylvia Maxfield
Ms. Paula M. McNamara
Mr. Thomas Mullaney
Ms. Marcia Reback**

Section I.

Agenda



State of Rhode Island and Providence Plantations
Office of the General Treasurer

Seth Magaziner
General Treasurer

**RHODE ISLAND STATE INVESTMENT COMMISSION
MEETING NOTICE**

The next meeting of the Rhode Island State Investment Commission has been scheduled for Wednesday February 22, 2017 at 9:00 a.m. in Room 205 of the State House.

AGENDA

- Chairperson Call to Order
- Membership Roll Call
- Approval of Minutes
 - State Investment Commission Meeting held on January 25th 2017*
- Private Equity Allocation Plan
 - Cliffwater, Tom Lynch
- Riordan, Lewis & Haden Equity Partners, RLH Investor IV L.P.*
 - Riordan, Lewis & Haden Equity Partners, Chris Lewis & Michel Glouchevitch
 - Cliffwater, Tom Lynch
- Defined Contribution Plan Quarterly Performance Review
 - TIAA, Larry Brown
- Legal Counsel Report
- Chief Investment Officer Report
 - Portfolio Performance
 - Asset Allocation Implementation Update
- Treasurer's General Comments

* Commission members may be asked to vote on this item.

POSTED ON February 17th, 2017

Anyone wishing to attend this meeting who may have special needs for access or services such as an interpreter, please contact Tiffany Kaschel at (401) 462-7699 twenty-four hours in advance of the scheduled meeting.

Section II.

Approval of Minutes



State Investment Commission
Monthly Meeting Minutes
Wednesday, January 25, 2017
9:00 a.m.
Room 205, State House

The Monthly Meeting of the State Investment Commission (SIC) was called to order at 9:01, Wednesday, January 25th 2017 in Room 205, State House.

I. Roll Call of Members

The following members were present: Mr. Robert Benson, Mr. Michael Costello Mr. Thomas Fay, Mr. Frank Karpinski, Ms. Marie Langlois, Ms. Sylvia Maxfield, Ms. Paula McNamara, Mr. Thomas Mullaney Ms. Marcia Reback, and Treasurer Seth Magaziner.

Also in attendance: Mr. John Burns and Mr. John Linder, Pension Consulting Alliance (PCA), general consultants; Mr. Justin Bullion, Payden & Rygel; Mr. Steve Johnson and Mr. Kerry Polk, Fidelity Investments; Ms. Kerri Baker, Treasury Cash Manager; Mr. Tim Nguyen, Treasury Chief Investment Officer (interim); Ms. Sally Dowling, Adler, Pollock & Sheehan, legal counsel; and other members of the Treasurer's staff.

Treasurer Magaziner called the meeting to order at 9:01 a.m.

II. Approval of Minutes

On a motion by Ms. Maxfield and seconded by Mr. Fay, it was unanimously
VOTED: to approve the draft minutes of the December 16th, 2016 meeting of the State Investment Commission.

III. Review and Consideration of Long Duration Investment Policy Statement

The board reviewed the updated Investment Policy Statement (IPS) language that specified the term "full faith government backed bonds" per last month's suggestion from the Board. It also included new language that the tracking error target be within the range of 1% or less.

On a motion by Ms. Reback and seconded by Mr. Mullaney, it was unanimously
VOTED: to approve the Long Duration IPS

IV. Review and Consideration of Cash Investment Policy Statement

Mr. Nguyen noted the language of the cash mandate was modeled after the current Ocean State Investment Pool (OSIP) IPS. Treasurer Magaziner reiterated the purpose of the cash portion of the portfolio is to maintain liquidity and not increase risk to maximize returns in this area.

The Board reviewed the IPS.

Ms. Maxfield asked Mr. Bullion if there was a practice of observing and recording events as a way to track potential market issues and ensure liquidity in those events. Mr. Nguyen interjected that the office was currently in the process of finding a provider to create a risk dashboard for the entire plan that would perform different analysis under various scenarios of which Ms. Maxfield is concerned. Treasurer Magaziner added that the output from such a dashboard would serve to establish protocols in which staff would engage Payden & Rygel under such circumstances.

The board asked additional questions.

On a motion by Ms. Maxfield and seconded by Ms. Reback, it was unanimously
VOTED: to approve the Cash IPS

V. Update on the Crisis Protection Class

Treasurer Magaziner noted the name change of the Crisis Risk Offset to Crisis Protection Class (CPC), as it will be known going forward. CPC program has three components: long duration treasuries manager, which has been selected, and the platform manager and the systematic trend following manager, neither of which have been determined.

Mr. Nguyen outlined the timeline for implementing the new class, stating it will be off the ground in April. This timeline is contingent on the selection and approval of the CPC platform and systematic trend following managers, including adequate time for evaluation and due diligence of the managers.

Mr. Nguyen spoke about the hedge fund redemption timeline, which will largely fund the new cash program as well as a portion of the upcoming income oriented strategies. It is important the timing of the redemptions coincide with the selection of managers in order to properly fund and balance the programs.

The board asked questions.

VI. Ocean State Investment Pool Update

Ms. Baker prefaced Fidelity's presentation with background information on OSIP and its purpose, noting it is an investment option for municipalities and quasi-public agencies. Treasurer Magaziner added that since its establishment in 2011, the rates have been prohibitively low, affecting participation. With rates rising and becoming more competitive, participation is expected to increase.

Mr. Johnson echoed the Treasurer's point on rising rates, stating Fidelity will be doing outreach to municipalities to showcase those rising rates and attractiveness of products.

Mr. Polk spoke about current market conditions and how they affect their products due to their market driven nature. He then highlighted that participation has increased over the year, with several more accounts being added. The pool value now totals \$460 million. He concluded that they are pleased with performance and are achieving their objectives. With rates increasing, they expect they will become more competitive relative to other similar bank products.

The board asked questions.

VII. Legal Counsel Report

There was no legal counsel report.

VIII. Chief Investment Officer Report

Mr. Nguyen provided the performance update for December, apprising the Board of domestic and global market conditions. For the month, the portfolio increased 1.35% matching the 60/40 allocation. For calendar year 2016, the portfolio increased 7.35%, exceeding both the benchmark of 6.34% and the 60/40 allocation's 5.92% return.

Treasurer Magaziner added it is indeed noteworthy the portfolio outperformed the 60/40, which is indicative the portfolio of adding value, attributing it in part to high performing asset classes such as private equity and real estate. He stated he is optimistic the implementation of the new asset allocation will further improve performance. He acknowledged staff for their manager selection as it is key to good performance.

Mr. Nguyen also advised the Board that in the coming month staff will be focused on getting the platform manager up and running, will be selecting the systematic trend strategies and vetting income oriented strategies.

IX. Treasurer's General Comments

Treasurer Magaziner remarked that 2016, while volatile at times, produced a solid overall performance for the portfolio.

There being no other business to come before the Board, on a motion by Ms. Maxfield and seconded by Ms. McNamara the meeting adjourned at 10:06 a.m.

Respectfully submitted,

**Seth Magaziner,
General Treasurer**

Section III.

Staff Summary

Portfolio Highlights

PORTFOLIO PERFORMANCE

January 2017

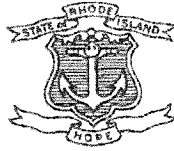
On the month (and calendar year to date), the total portfolio value increased by approximately \$94.5 million to rest at \$7.8 billion. The month's increase comes from \$118.9 million of positive investment performance offset by \$24.4 million of transfers to meet pension payroll in excess of pension contributions. On a percentage basis, the portfolio increased 1.55%, lagging both the plan benchmark of 1.66% and basic 60% global equity/40% fixed income allocation of 1.72%.

Fiscal year-to-date, the total portfolio has increased by \$289.9 million, with portfolio gains of \$458.4 million offset by \$168.5 million in pension payments. The portfolio's 6.18% return exceeded the 5.71% benchmark and well surpassed the 4.63% 60/40 return.

Over a 3-year time frame and when comparing against a 60/40 portfolio, the ERSRI portfolio outperformed at 4.94% while the 60/40 portfolio earned 4.48%. Over a 5-year time frame, the ERSRI portfolio earned 7.14%, outperforming the 60/40 portfolio which posted 6.19%.

Global equity markets gained ground in the month of January. U.S. equities registered positive returns with major indices hitting new all-time highs amid optimism over President Trump's plans for tax cuts and higher infrastructure spending.

Global bond markets diverged in the month of January. According to market watchers, this theme is expected to persist in 2017. A steady and stable U.S. Treasuries market contrasted with higher yields in Europe, where a combination of political developments and another jump in Eurozone inflation drove bonds.



State of Rhode Island and Providence Plantations
Office of the General Treasurer

Seth Magaziner

General Treasurer

February 15, 2017

State Investment Commission
State of Rhode Island, State House
Providence, Rhode Island

This is to certify that the amounts so listed below belong to the credit of the Employees' Retirement, Municipal Employees', State Police and Judicial Retirement Systems of the State of Rhode Island at the close of business on January 31, 2017.

Employees' Retirement System of Rhode Island
Composite Reporting Investment Valuation
January 31, 2017

Asset Class	Base Market Value
Grand Total	7,790,554,784
CASH EQUIVALENT*	113,880,024
EQUITY HEDGE FUNDS**	576,498,307
GLOBAL PUBLIC EQUITY	3,589,905,176
CREDIT	415,693,216
INFLATION-LINKED BDS	244,018,557
PRIVATE EQUITY**	535,955,931
REAL ESTATE**	555,593,180
REAL RET HEDGE FUNDS**	515,121,707
INFRASTRUCTURE**	294,822,519
US TRADITIONAL FIXED	949,066,168

Plan Allocations	%	Base Market Value
Grand Total	100.00%	7,790,554,784
STATE EMP RET PLAN	75.7%	5,870,637,902
MUNI EMP RET PLAN	17.9%	1,411,581,602
TEACHER'S SURVIVOR BENEFIT	3.8%	298,520,018
STATE POLICE RET PL	1.6%	122,972,173
JUDICIAL RET PLAN	0.8%	64,104,832
NON-CONTRIB JUD RET	0.0%	550,977
NON-CONT ST POL RET	0.2%	22,187,280

* Cash & Short-Term Investments, as shown, also includes amounts available within specific active-manager mandates, and thus as aggregated will not tie directly to separate cash allocations as reported elsewhere.

** Alternative Investments – comprising the five components as indicated – have varying degrees of liquidity and may not have readily determinable market values. As such, they may be based on appraisals only.

Respectfully submitted,

Vincent Izzo
Investment Accounting Manager

Section IV.

Asset Allocation

Asset Summary

Balance Date: 1/31/2017



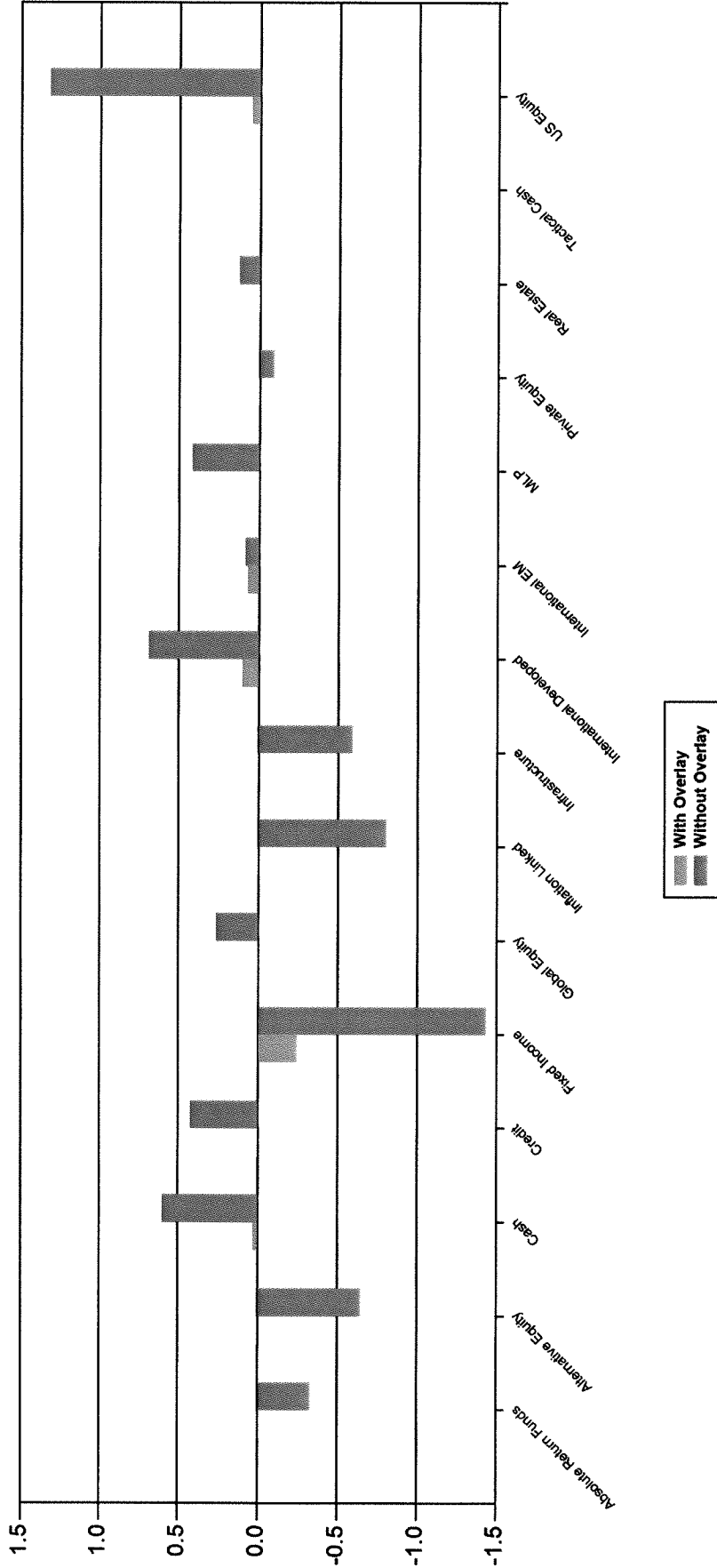
Asset Class	Physical Exposure	Synthetic Exposure	Net Position	Overlay Target	Policy Target
Total Market Value	7,769.8	100.0 %	7,769.8	100.0 %	7,769.9
Cash	46.4	0.6 %	6.8	0.1 %	0.0
Cash	46.4	0.6 %	6.8	0.1 %	0.0
Equity	4,709.4	60.6 %	4,646.1	59.6 %	4,584.2
Alternative Equity	571.2	7.4 %	571.2	7.4 %	621.6
Global Equity	1,107.9	14.3 %	1,107.9	14.3 %	1,087.8
International Developed	830.6	10.7 %	812.3	10.4 %	777.0
International EM	317.3	4.1 %	327.1	4.1 %	310.8
Private Equity	536.6	6.9 %	536.6	6.9 %	543.9
US Equity	1,345.8	17.3 %	1,291.0	16.6 %	1,243.2
Fixed	976.0	12.6 %	1,078.9	14.1 %	1,087.8
Fixed Income	976.0	12.6 %	1,078.9	14.1 %	1,087.8
Other	2,038.0	26.2 %	2,038.0	26.2 %	2,097.9
Absolute Return Funds	517.8	6.7 %	517.8	6.7 %	543.9
Credit	421.2	5.4 %	421.2	5.4 %	388.5
Inflation Linked	248.1	3.2 %	248.1	3.2 %	310.8
Infrastructure	109.4	1.4 %	109.4	1.4 %	155.4
MLP	187.8	2.4 %	187.8	2.4 %	155.4
Real Estate	553.7	7.1 %	553.7	7.1 %	543.9
Tactical Cash	0.0	0.0 %	0.0	0.0 %	0.0

Asset Summary

Balance Date: 1/31/2017



Percent Deviation from Overlay Target



Total Absolute Notional Value: 185.8 (USD)

Asset Summary

Balance Date: 1/31/2017



Manager	Total Market Value	Equity Market Value	Fixed Market Value	Other Market Value	Cash Balance
Total Assets	7,769.9	4,709.4	976.0	2,038.0	46.4
Cash	46.4	0.0	0.0	0.0	46.4
Cash Acct (Pooled Trust)	28.3	0.0	0.0	0.0	28.2
Municipal EE's Retirement Plan	0.0	0.0	0.0	0.0	0.0
Russel Overlay	18.1	0.0	0.0	0.0	18.1
State EE's Retirement Plan	0.0	0.0	0.0	0.0	0.0
Tactical Cash-offset Template	0.0	0.0	0.0	0.0	0.0
Equity	4,709.5	4,709.4	0.0	0.0	0.1
Alternative Equity	571.2	571.2	0.0	0.0	0.0
Ascend Partners Fund II, LP	69.1	7.4%	7.4%	0.0%	0.0%
Davidson Kempner	80.7	0.9%	0.9%	0.0%	0.0%
Elliott Associates, LP	93.9	1.0%	1.0%	0.0%	0.0%
ESG	38.2	1.2%	1.2%	0.0%	0.0%
Indus Asia Pacific Fund	0.3	0.5%	0.5%	0.0%	0.0%
Luxor Capital Partners	5.3	0.0%	0.0%	0.0%	0.0%
PFM Diversified Fund LP	77.2	0.1%	0.1%	0.0%	0.0%
Samiyn Onshore Fund LP	108.2	1.0%	1.0%	0.0%	0.0%
Viking Global Equities	98.3	1.4%	1.4%	0.0%	0.0%
Global Equity	1,108.0	14.3%	14.3%	0.0%	0.0%
Global Equity Transition	0.1	0.0%	0.0%	0.0%	0.1
SSGA Global Fundamental Dev LC	1,107.9	14.3%	14.3%	0.0%	0.0
International Developed	830.6	10.7%	10.7%	0.0%	0.0
SSGA MSCI Canada	106.6	1.4%	1.4%	0.0%	0.0
SSGA MSCI EAFE	724.0	9.3%	9.3%	0.0%	0.0
International EM	317.3	4.1%	4.1%	0.0%	0.0
SSGA Emerging Mkts	317.3	4.1%	4.1%	0.0%	0.0
Private Equity	536.6	6.9%	6.9%	0.0%	0.0
Combined Private Equity	536.6	6.9%	6.9%	0.0%	0.0
US Equity	1,345.4	17.3%	17.3%	0.0%	0.0
Rhode Island Transition Acct	0.0	0.0%	0.0%	0.0%	0.0
SSGA Russell 3000	1,345.4	17.3%	17.3%	0.0%	0.0
US Large Cap	0.4	0.0%	0.0%	0.0%	0.0
Shott Capital	0.4	0.0%	0.0%	0.0%	0.0
Fixed	976.0	12.6%	12.6%	0.0%	0.0
Fixed Income	976.0	12.6%	976.0	0.0%	0.0
MackKey Shields Core	483.3	6.2%	483.3	0.0%	0.0
Pyramis Core	492.7	6.3%	492.7	0.0%	0.0
Other	2,038.0	26.2%	0.0%	2,038.0	0.0
Tactical Cash	0.0	0.0%	0.0%	0.0%	0.0
Tactical Cash Template	0.0	0.0%	0.0%	0.0%	0.0

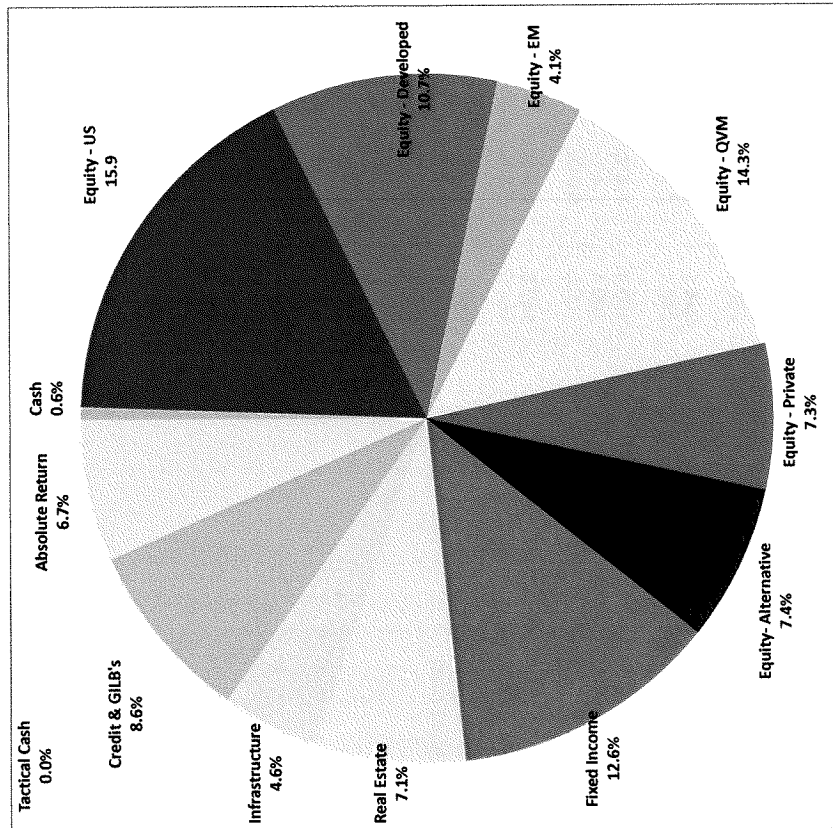
Asset Summary

Balance Date: 1/31/2017

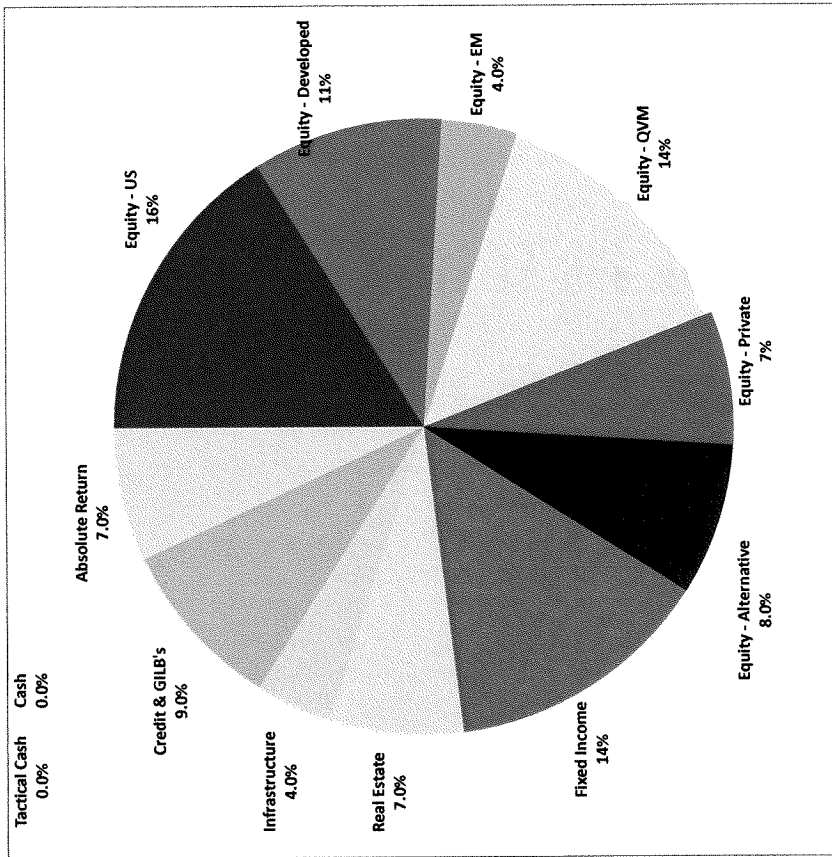


Manager	Total Market Value	Equity Market Value	Fixed Market Value	Other Market Value	Cash Balance
Absolute Return Funds	517.8	0.0	0.0	517.8	0.0
Brevan Howard LP	80.7	0.0	0.0	80.7	0.0
Brigade Levered Capital	61.4	0.0	0.0	61.4	0.0
Capula Global Relative Value	68.0	0.0	0.0	68.0	0.0
Claren Road Cr Fund	8.8	0.0	0.0	8.8	0.0
D.E. Shaw Composite Fund	95.3	0.0	0.0	95.3	0.0
Graham Global	62.0	0.0	0.0	62.0	0.0
Oz Domestic Partners II	105.9	0.0	0.0	105.9	0.0
Winton Futures Ltd Fund	35.8	0.0	0.0	35.8	0.0
Credit	421.2	0.0	0.0	421.2	0.0
PIMCO	215.7	0.0	0.0	215.7	0.0
WAMCO	205.5	0.0	0.0	205.5	0.0
Inflation Linked	248.1	0.0	0.0	248.1	0.0
Brown Brothers Harriman-GILBS	248.1	0.0	0.0	248.1	0.0
Infrastructure	109.4	0.0	0.0	109.4	0.0
Combined Priv. Infrastructure	109.4	0.0	0.0	109.4	0.0
Infrastructure	0.0	0.0	0.0	0.0	0.0
MLP	187.8	0.0	0.0	187.8	0.0
Harvest Fund Advisor	187.8	0.0	0.0	187.8	0.0
Real Estate	553.7	0.0	0.0	553.7	0.0
Combined Real Estate	553.7	0.0	0.0	553.7	0.0

Actual Allocation



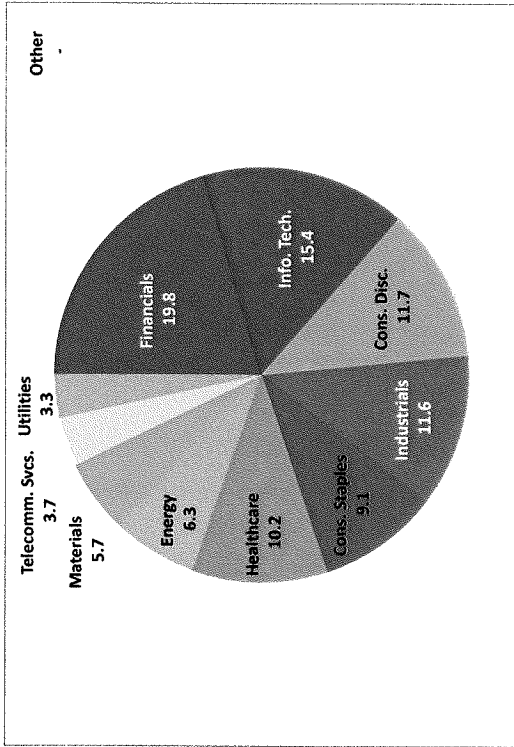
Policy Allocation



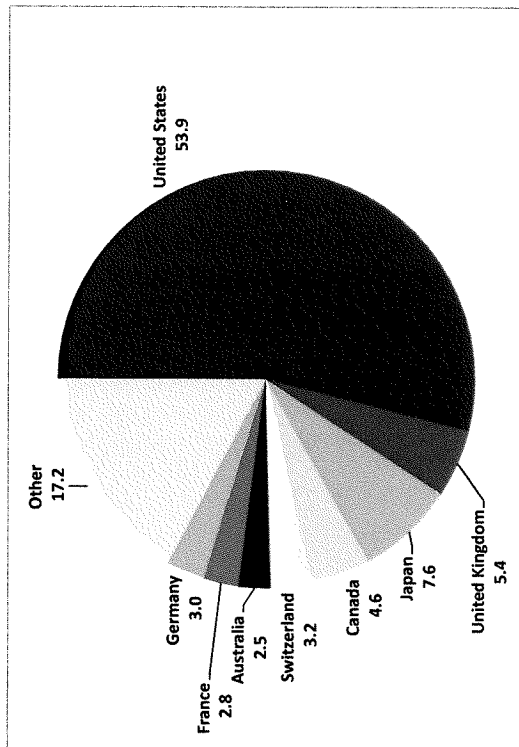
ERSRI Asset Allocation
Public-Asset Portfolios

%% - as of January 31, 2017

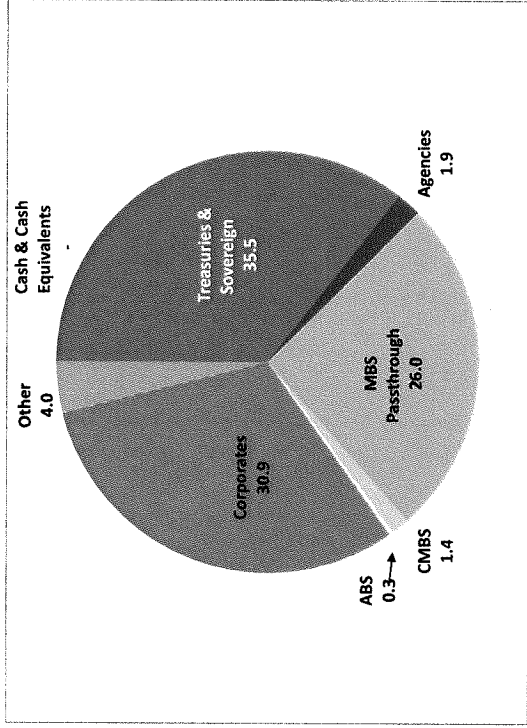
Global Public Equity - by Industry Sector



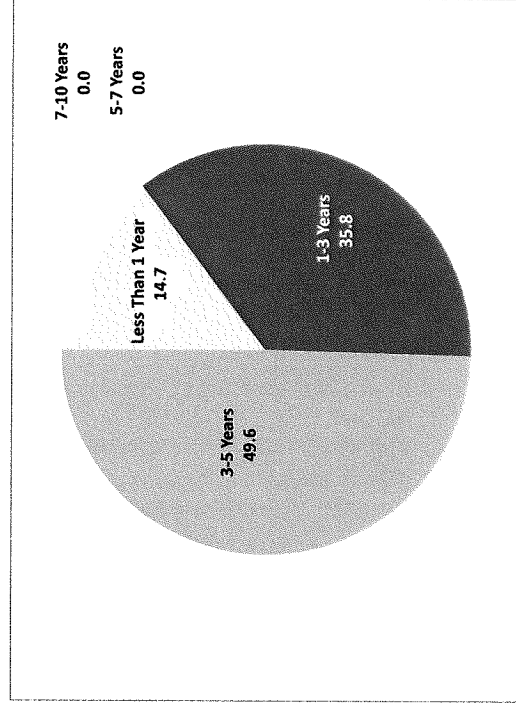
Global Public Equity - by Geography



Core Fixed Income - by Type



Inflation-Linked Bonds - by Duration



Section V.

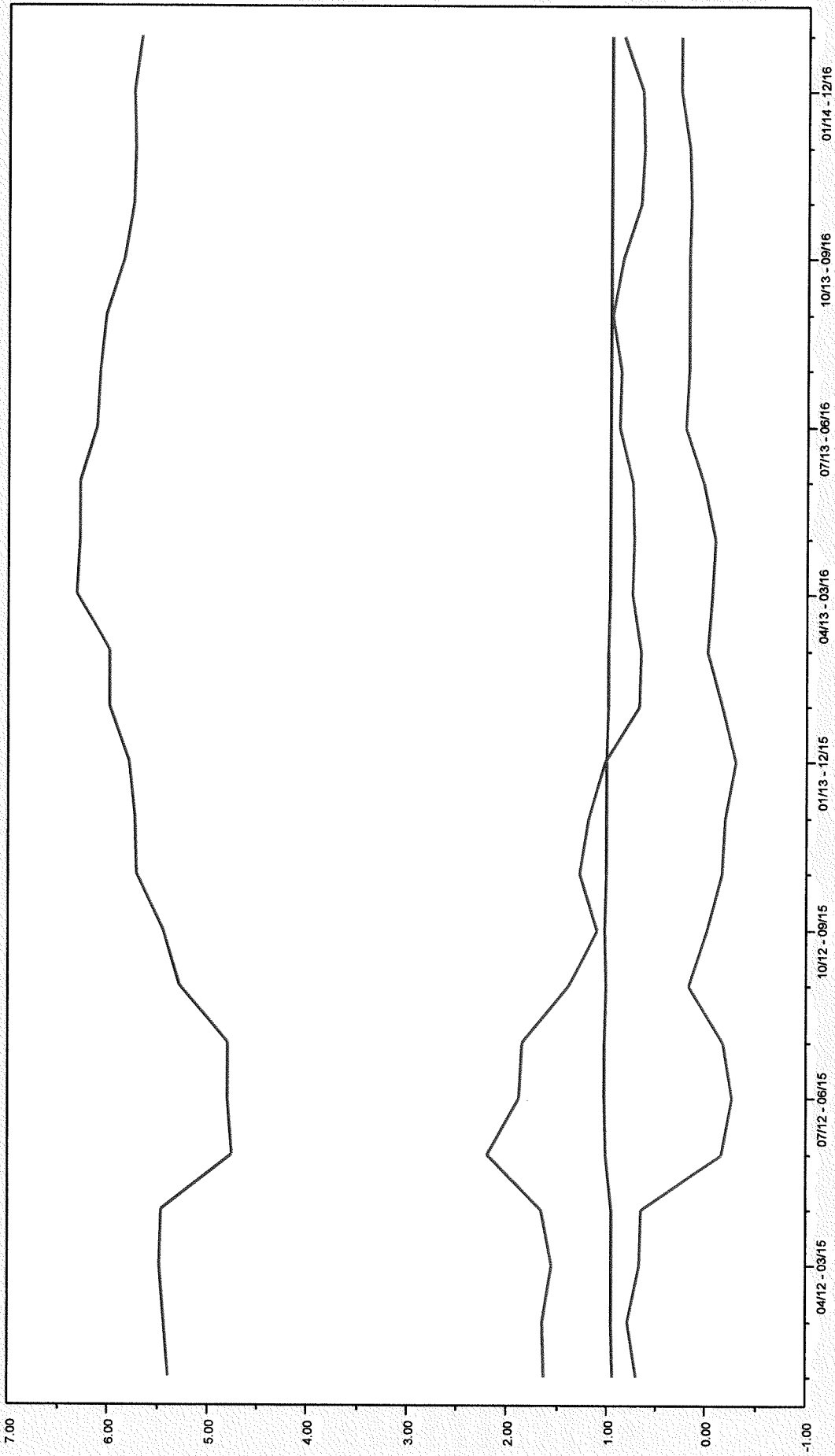
Risk Overview

Historical Risk - Three Year Rolling Periods

TOTAL PLAN

5 Years Ending January 31, 2017

Trend



Market Proxy: Total Plan Benchmark: Risk-Free Proxy: BofA Merrill Lynch 3 Month US Treasury Bill GOO1

Ann Std Dev

Ann Sharpe Ratio

Ann Alpha

Beta

Risk Exposures
3 Years Ending January 31, 2017

	Annualized Return	Ann Std Dev	Beta (ACWI)	Beta (BC AGG)	Beta (GSCI)	Beta (CPI)
US Public Equity	10.38	10.63	0.92	-0.27	0.14	0.97
Non-US Public Equity	1.18	12.36	1.09	0.37	0.27	2.48
Equity Hedge Funds	1.32	4.41	0.23	-0.27	0.04	0.74
Private Equity	8.31	5.24	-0.02	-0.28	0.08	1.93
Traditional Fixed Income	2.66	2.86	0.03	0.98	-0.02	-0.05
Real Estate	11.66	2.29	0.02	0.28	-0.02	-0.43
Real Return Hedge Funds	4.28	2.74	0.07	-0.07	0.00	-0.04
Inflation-Linked Bonds	1.66	2.57	0.05	0.71	0.01	0.37
Cash	0.70	0.37	0.00	-0.01	-0.00	-0.04
Russell Overlay Fd	0.02	0.09	-0.00	-0.00	-0.00	-0.03
TOTAL PLAN	4.94	5.68	0.52	0.14	0.11	1.07

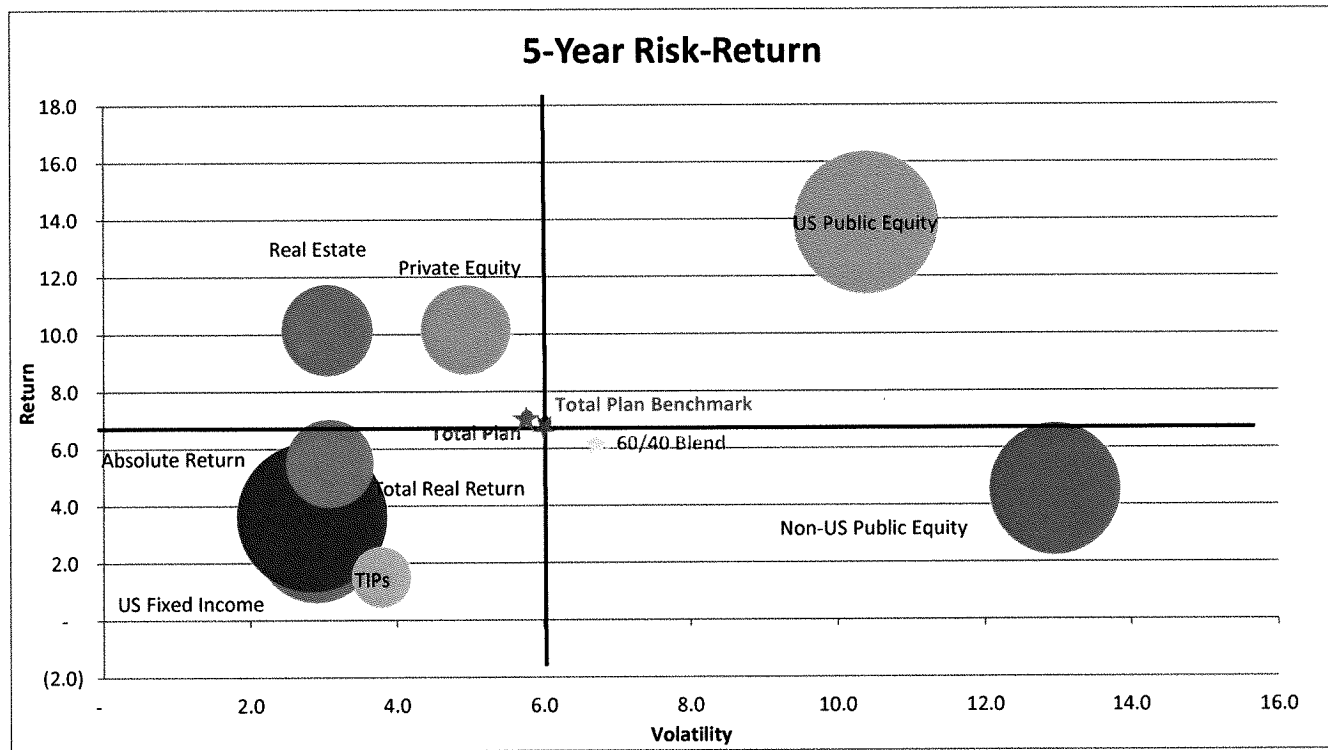
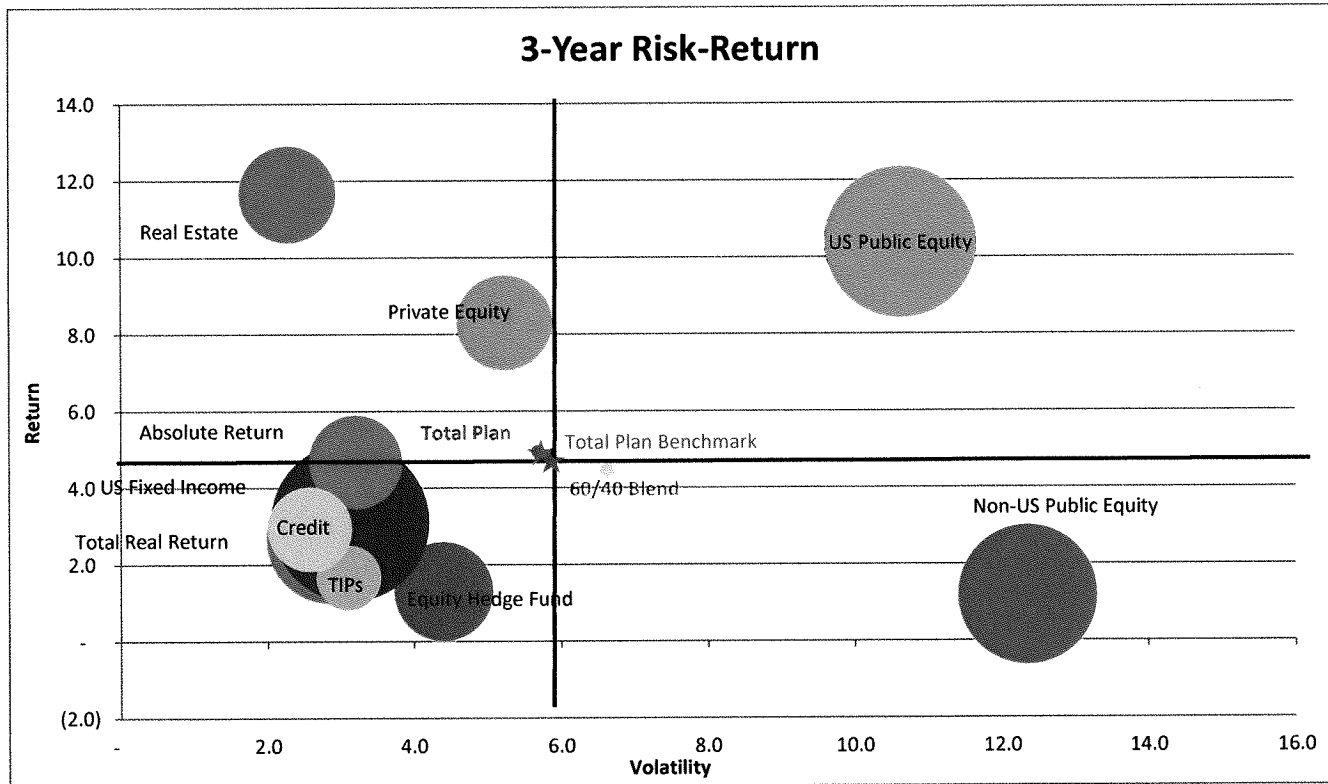
5 Years Ending January 31, 2017 Comparison

	TOTAL PLAN	Total Plan Benchmark	60/40 Blend
Ann Return	7.14	6.94	6.19
Ann Ex Ret vs Mkt	0.19		
Ann Tracking Error	0.94		
Ann Std Dev	5.77	6.03	6.74
Beta	0.95		
R-Squared	0.98		
Ann Alpha	0.53		
Ann Sharpe Ratio	1.20	1.13	0.91

ERSRI Portfolio

% - as of January 31, 2017

Bubble-Size Scaled based on Current Allocations



**3 Years Ending January 31, 2017
Correlation**

Ann Return

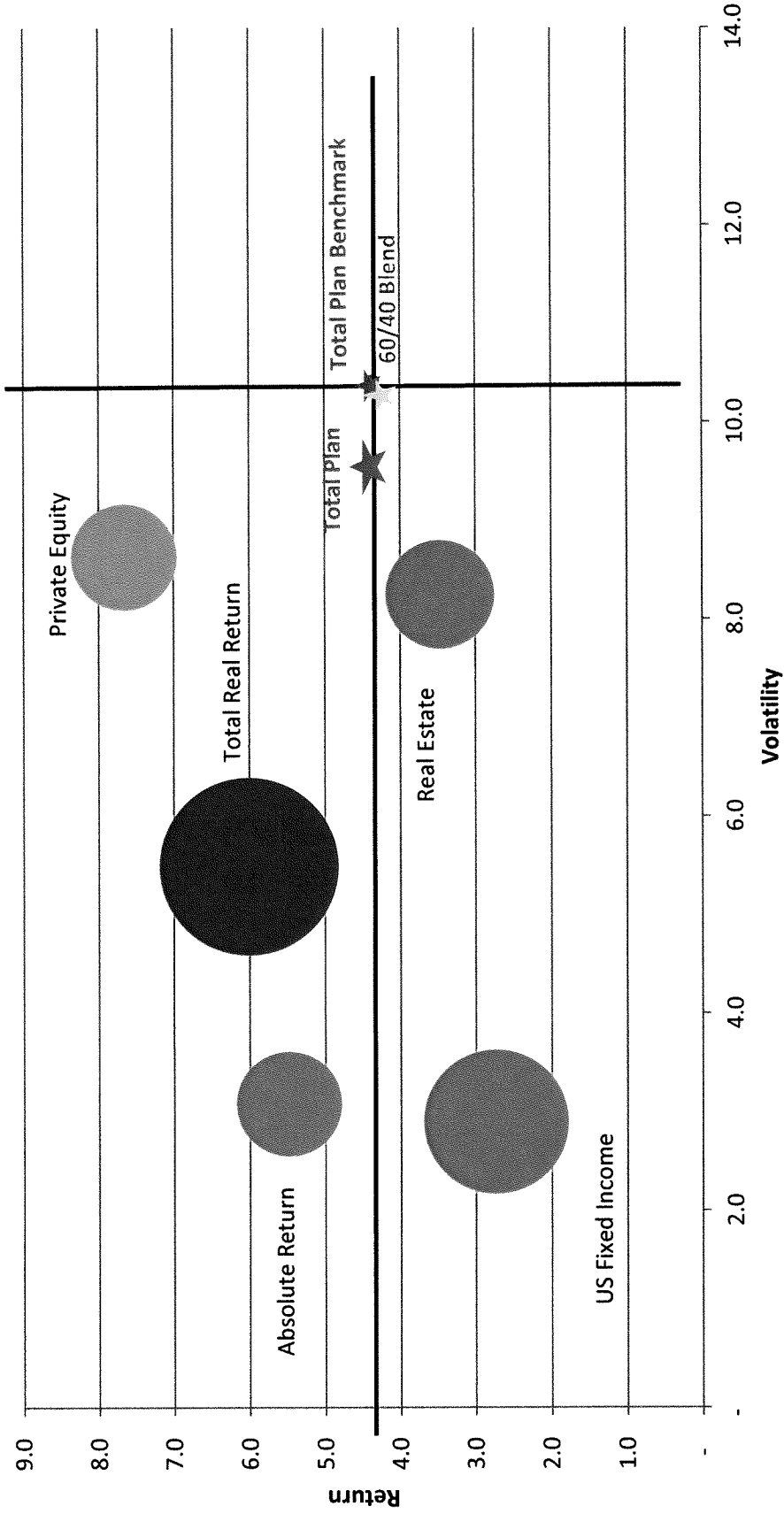
	US Pub Eq	Non-US Pub Eq	Eq HF	PE	FI	RE	RR HF	TIPS	Cash	Overlay	Total
US Pub	1.00										
Non-US P	0.80	1.00									
Eq HF	0.57	0.50	1.00								
PE	-0.02	-0.05	-0.03	1.00							
FI	0.01	0.20	-0.12	-0.16	1.00						
RE	0.07	0.14	0.03	-0.27	0.34	1.00					
RR HF	0.35	0.23	0.58	-0.11	-0.04	-0.13	1.00				
TIPS	0.02	0.34	-0.17	-0.09	0.82	0.30	-0.02	1.00			
Cash	0.14	0.09	0.10	-0.11	-0.06	-0.26	0.13	-0.23	1.00		
Overlay	-0.26	-0.21	-0.35	-0.09	-0.07	0.09	-0.15	-0.08	-0.01	1.00	
Total	0.93	0.95	0.60	0.01	0.17	0.12	0.35	0.25	0.11	-0.27	1.00
Tot BM	0.92	0.96	0.55	-0.04	0.18	0.11	0.30	0.25	0.11	-0.25	0.99

**5 Years Ending January 31, 2017
Correlation**

Ann Return

	US Pub Eq	Non-US Pub Eq	Eq HF	PE	FI	RE	RR HF	TIPS	Cash	Overlay	Total
US Pub	1.00										
Non-US P	0.80	1.00									
Eq HF	0.65	0.53	1.00								
PE	0.11	0.08	0.05	1.00							
FI	-0.02	0.21	-0.11	-0.18	1.00						
RE	0.19	0.27	0.03	-0.03	0.31	1.00					
RR HF	0.38	0.29	0.60	-0.09	0.03	0.03	1.00				
TIPS	-0.05	0.20	-0.09	-0.15	0.79	0.26	0.13	1.00			
Cash	0.07	0.03	-0.02	-0.12	-0.05	-0.04	0.08	-0.13	1.00		
Overlay	0.19	0.26	0.10	0.06	-0.10	0.19	0.09	-0.06	-0.07	1.00	
Total	0.92	0.95	0.65	0.13	0.19	0.27	0.40	0.17	0.04	0.22	1.00
Tot BM	0.92	0.96	0.61	0.09	0.17	0.25	0.35	0.12	0.04	0.25	0.99

10-Year Risk-Return



10 Years Ending January 31, 2017
Correlation

Ann Return	US Pub Eq	Non-US Pub Eq	Eq HF	PE	FI	RE	RR HF	TIPS	Cash	Overlay	Total
US Pub	---										
Non-US P	---	---									
Eq HF	---	---	---								
PE	---	---	---	1.00							
FI	---	---	---	-0.04	1.00						
RE	---	---	---	0.31	-0.17	1.00					
RR HF	---	---	---	---	---	---	---				
TIPS	---	---	---	---	---	---	---	---			
Cash	---	---	---	0.16	0.04	0.16	---	---	1.00		
Overlay	---	---	---	---	---	---	---	---	---	---	
Total	---	---	---	0.22	0.45	0.01	---	---	-0.01	---	1.00
Tot BM	---	---	---	0.15	0.45	-0.02	---	---	0.00	---	0.99

Section VI.

Performance Overview

TOTAL NET OF FEES

1/31/2017

Annualized

Account Name Benchmark Name	Market Value	% of Total	Month	YTD	Fiscal YTD	1 Year	3 Years	5 Years	10 Years	ITD	Inception Date
SSGA R3000 INDEX <i>Russell 3000 Index</i>	1,345,417,133	17	1.89	1.89	10.86	21.78	10.39			13.68	10/1/2012
			1.88	1.88	10.84	21.73	10.28			13.62	10/1/2012
US Public Equity	1,345,417,208	17	1.89	1.89	10.86	21.78	10.38	13.87		7.29	8/1/2007
<i>Russell 3000 Index</i>			1.88	1.88	10.84	21.73	10.28	13.97		7.29	8/1/2007
SSGA MSCI EAFE <i>MSCI EAFE Net Dividend Index</i>	724,044,259	9	2.89	2.89	8.79	12.34	0.97			6.75	9/1/2012
			2.90	2.90	8.74	12.03	0.71			6.50	9/1/2012
SSGA MSCI CANADA <i>MSCI Canada Net Dividend Index</i>	106,600,071	1	3.78	3.78	12.61	33.23	1.84			2.75	9/1/2012
			3.72	3.72	12.29	32.54	1.24			2.11	9/1/2012
SSGA MSCI EM <i>MSCI Emerging Markets Net Dividend Index</i>	317,326,298	4	5.44	5.44	10.04	25.04	1.19			1.20	9/1/2012
			5.47	5.47	10.20	25.41	1.44			1.42	9/1/2012
Non-US Public Equity	1,148,023,420	15	3.67	3.67	9.60	16.75	1.18	4.53		7.87	5/1/2009
<i>Total International Equity BM</i>			3.54	3.54	9.31	16.09	0.92	4.59		7.04	5/1/2009
QVM Tilt <i>MSCI World Net Dividend Index</i>	1,107,901,982	14	2.31	2.31	9.15	16.88				12.11	10/1/2015
			2.41	2.41	9.39	17.11				11.89	10/1/2015
Global Public Equity	3,601,342,610	46	2.58	2.58	9.85	18.85	5.71	9.44	4.49	4.06	7/1/2000
<i>MSCI All Country World Net Index</i>			2.73	2.73	9.47	17.93	5.49	8.72	3.74		7/1/2000
Private Equity <i>ILPA All Fds Custom BM 1Q Lag</i>	535,955,399	7	0.20	0.20	4.61	9.47	8.31	10.17	7.66	9.06	2/1/1989
			0.20	0.20	4.95	6.73	10.00	13.69	8.39		2/1/1989
Equity Hedge Funds	577,952,000	7	1.18	1.18	4.47	3.16	1.32	5.27		5.21	11/1/2011
<i>HFR/ Equity Hedge (Total) Index</i>			2.11	2.11	8.10	12.83	3.11	5.10		5.02	11/1/2011
Total Equity	4,715,250,009	61	2.13	2.13	8.54	15.54	5.43	8.99	4.54	8.87	6/1/1996
MACKEY SHIELDS <i>Bloomberg Barclays U.S. Aggregate Bond Index</i>	483,309,954	6	0.22	0.22	-2.17	1.55	2.57			1.77	11/1/2012
			0.20	0.20	-2.34	1.45	2.59			1.69	11/1/2012
PYRAMIS GLOBAL ADV <i>Bloomberg Barclays U.S. Aggregate Bond Index</i>	492,742,493	6	0.27	0.27	-1.50	2.88	2.74			1.84	11/1/2012
			0.20	0.20	-2.34	1.45	2.59			1.69	11/1/2012
Traditional Fixed Income	976,054,237	13	0.25	0.25	-1.83	2.23	2.66	2.74	4.43	5.24	7/1/2000
<i>Bloomberg Barclays U.S. Aggregate Bond Index</i>			0.20	0.20	-2.34	1.45	2.59	2.09	4.37	5.11	7/1/2000

TOTAL NET OF FEES
1/31/2017

Account Name Benchmark Name	Market Value	% of Total	Month	YTD	Fiscal YTD	1 Year	3 Years	5 Years	10 Years	ITD	Inception Date	Annualized	
												7	3
Real Return Hedge Funds	517,636,409	7	0.38	0.38	5.78	7.45	4.28	4.80	4.85	4.85	11/1/2011		
<i>HFRI Fund of Funds Composite Index</i>			<i>0.70</i>	<i>0.70</i>	<i>3.91</i>	<i>4.00</i>	<i>1.57</i>	<i>3.20</i>	<i>3.09</i>	<i>3.09</i>	<i>11/1/2011</i>		
PIMCO	215,475,750	3	0.25	0.25	4.16	8.14	3.20	3.25	3.25	3.25	5/1/2013		
<i>30%BoA1-3BB-BHY70% JPMB/BBLLI</i>			<i>0.37</i>	<i>0.37</i>	<i>4.88</i>	<i>10.15</i>	<i>3.99</i>	<i>4.17</i>	<i>4.17</i>	<i>4.17</i>	<i>5/1/2013</i>		
WAMCO	207,035,531	3	1.11	1.11	7.31	15.17	2.66	3.20	3.20	3.20	4/1/2013		
<i>30% BoA 1-3 BB-B HY70% CS LLI</i>			<i>0.56</i>	<i>0.56</i>	<i>5.72</i>	<i>11.55</i>	<i>3.89</i>	<i>4.21</i>	<i>4.21</i>	<i>4.21</i>	<i>4/1/2013</i>		
Credit Aggregate	422,511,281	5	0.66	0.66	5.70	11.52	2.92	3.17	3.17	3.17	5/1/2013		
<i>Credit Aggregate</i>			<i>0.47</i>	<i>0.47</i>	<i>5.30</i>	<i>10.85</i>	<i>3.99</i>	<i>4.17</i>	<i>4.17</i>	<i>4.17</i>	<i>5/1/2013</i>		
BROWN BROTHERS HARR	248,061,504	3	0.76	0.76	-0.23	3.34	1.66	0.62	0.62	0.62	11/1/2012		
<i>BBH Inflation-Linked Custom BM</i>			<i>0.74</i>	<i>0.74</i>	<i>-0.17</i>	<i>3.45</i>	<i>1.82</i>	<i>0.61</i>	<i>0.61</i>	<i>0.61</i>	<i>11/1/2012</i>		
Inflation-Linked Bonds	248,061,504	3	0.76	0.76	-0.23	3.34	1.66	1.52	1.52	1.52	11/1/2009		
<i>Total Inflation Linked Custom</i>			<i>0.74</i>	<i>0.74</i>	<i>-0.17</i>	<i>3.45</i>	<i>1.82</i>	<i>1.46</i>	<i>1.46</i>	<i>1.46</i>	<i>11/1/2009</i>		
Harvest Fund Advisor	187,465,056	2	3.47	3.47	9.49	42.20	0.62	-6.92	-6.92	-6.92	11/1/2015		
<i>Alerian MLP Index</i>			<i>4.89</i>	<i>4.89</i>	<i>8.18</i>	<i>39.60</i>	<i>0.61</i>	<i>-8.21</i>	<i>-8.21</i>	<i>-8.21</i>	<i>11/1/2015</i>		
Priv Listed Infrastructure	109,395,719	1	0.00	0.00	5.98	14.08	4.82	4.82	4.82	4.82	3/1/2015		
Total Real Return	1,485,069,969	19	0.88	0.88	5.10	11.57	3.11	3.61	6.01	5.56	6/1/2004		
Real Estate	555,593,180	7	0.96	0.96	5.52	8.85	11.66	10.15	3.47	3.07	11/1/2005		
<i>NFI-ODCE Index</i>			<i>1.03</i>	<i>1.03</i>	<i>4.84</i>	<i>10.21</i>	<i>12.07</i>	<i>12.04</i>	<i>8.16</i>	<i>9.89</i>	<i>11/1/2005</i>		
ERSRI CASH	25,647,432	0	0.07	0.07	0.40	1.03	0.73	0.48	1.74	12.81	7/1/2000		
<i>BoFA Merrill Lynch 3 Month US Treasury Bill GOO1</i>			<i>0.04</i>	<i>0.04</i>	<i>0.23</i>	<i>0.37</i>	<i>0.15</i>	<i>0.13</i>	<i>0.76</i>	<i>1.67</i>	<i>7/1/2000</i>		
Total Cash	40,087,421	1	0.06	0.06	0.37	0.96	0.70	0.48	1.25	2.32	4/1/2004		
Russell Overlay Fd	18,098,436	0	0.00	0.00	0.05	0.06	0.02	0.07	-0.06	-0.06	9/1/2008		
TOTAL PLAN	7,790,554,783	100	1.55	1.55	6.18	12.34	4.94	7.14	4.42	4.70	7/1/2000		
<i>Total Plan Benchmark</i>			<i>1.66</i>	<i>1.66</i>	<i>5.71</i>	<i>11.63</i>	<i>4.83</i>	<i>6.94</i>	<i>4.37</i>	<i>4.37</i>	<i>7/1/2000</i>		
<i>60/40 Blend</i>			<i>1.72</i>	<i>1.72</i>	<i>4.63</i>	<i>11.15</i>	<i>4.48</i>	<i>6.19</i>	<i>4.36</i>		<i>7/1/2000</i>		
Total Plan ex PE,RE & Priv Inf	6,589,610,486	85	1.73	1.73	6.38	12.83	4.28	6.42	4.08	6.19	4/1/1996		
<i>Total Plan BM ex PE RE</i>			<i>1.81</i>	<i>1.81</i>	<i>5.82</i>	<i>12.10</i>	<i>4.08</i>	<i>6.45</i>	<i>3.99</i>	<i>6.45</i>	<i>4/1/1996</i>		

TOTAL NET OF FEES
1/31/2017

Account Name Benchmark Name	Market Value	% of Total	Month	Cumulative				YTD	2016	2015	2014	Inception Date
				12/1/2016 - 12/31/2016	11/1/2016 - 11/30/2016	10/1/2016 - 10/31/2016	9/1/2016 - 9/30/2016					
SSGA R3000 INDEX Russell 3000 Index	1,345,417,133	17	1.89	1.95	4.47	1.89	12.84	0.60	12.59	12.56	10/1/2012	
US Public Equity Russell 3000 Index	1,345,417,208	17	1.89	1.95	4.47	1.89	12.84	0.60	12.57	12.56	8/1/2007	
SSGA MSCI EAFE MSCI EAFE Net Dividend Index	724,044,259	9	2.89	3.42	-1.98	2.89	1.28	-0.59	-4.64	-4.90	9/1/2012	
SSGA MSCI CANADA MSCI Canada Net Dividend Index	106,600,071	1	3.78	1.83	2.41	3.78	25.24	-23.70	2.17	2.17	9/1/2012	
SSGA MSCI EM MSCI Emerging Markets Net Dividend Index	317,326,298	4	5.44	0.21	-4.64	5.44	10.82	-15.16	-2.34	-2.19	9/1/2012	
Non-US Public Equity Total International Equity BM	1,148,023,420	15	3.67	2.38	-2.42	3.67	5.01	-5.77	-3.63	-3.87	5/1/2009	
QVM Tilt MSCI World Net Dividend Index	1,107,901,982	14	2.31	2.40	1.53	2.31	7.58				10/1/2015	
Global Public Equity MSCI All Country World Net Index	3,601,342,610	46	2.58	2.23	1.21	2.58	8.78	-2.48	4.35	4.16	7/1/2000	
Private Equity ILPA All Fds Custom BM 1Q Lag	535,955,399	7	0.20	0.27	1.16	0.20	9.19	7.08	8.02	16.39	2/1/1989	
Equity Hedge Funds HFRI Equity Hedge (Total) Index	577,952,000	7	1.18	0.24	0.22	1.18	-1.06	1.27	2.64	1.81	11/1/2011	
Total Equity	4,715,250,009	61	2.13	1.74	1.08	2.13	7.47	-0.95	4.51	6.00	6/1/1996	
MACKAY SHIELDS Bloomberg Barclays U.S. Aggregate Bond Index	483,309,954	6	0.22	0.23	-2.39	0.22	2.66	0.48	6.00	5.97	11/1/2012	
PYRAMIS GLOBAL ADV Bloomberg Barclays U.S. Aggregate Bond Index	492,742,493	6	0.27	0.25	-2.28	0.27	3.61	0.01	5.83	5.97	11/1/2012	
Traditional Fixed Income Bloomberg Barclays U.S. Aggregate Bond Index	976,054,237	13	0.25	0.24	-2.33	0.25	3.15	0.25	5.91	5.97	7/1/2000	

Total Performance Summary

TOTAL NET OF FEES
1/31/2017

Cumulative

Account Name Benchmark Name	Market Value	% of Total	Month	12/1/2016 - 12/31/2016	11/1/2016 - 11/30/2016	YTD	2016	2015	2014	Inception Date
Real Return Hedge Funds	517,636,409	7	0.38	1.03	1.98	0.38	7.04	0.86	4.70	11/1/2011
HFRI Fund of Funds Composite Index			0.70	0.92	0.24	0.70	0.53	-0.27	3.37	11/1/2011
PIMCO	215,475,750	3	0.25	0.94	0.27	0.25	7.59	1.13	1.22	5/1/2013
30%BoA1-3BB-BHY/70% JPMB/BLLI			0.37	0.99	0.24	0.37	9.17	1.00	2.11	5/1/2013
WAMCO	207,035,531	3	1.11	2.06	0.05	1.11	11.69	-3.69	0.10	4/1/2013
30% BoA 1-3 BB-B HY/70% CS LLI			0.56	1.10	0.25	0.56	10.09	-0.18	2.03	4/1/2013
Credit Aggregate	422,511,281	5	0.66	1.49	0.16	0.66	9.59	-1.29	0.66	5/1/2013
Credit Aggregate			0.47	1.05	0.24	0.47	9.63	0.49	2.11	5/1/2013
BROWN BROTHERS HARR	248,061,504	3	0.76	0.04	-1.51	0.76	3.91	-0.26	1.72	11/1/2012
BBH Inflation-Linked Custom BM			0.74	0.11	-1.47	0.74	4.01	-0.15	2.04	11/1/2012
Inflation-Linked Bonds	248,061,504	3	0.76	0.04	-1.51	0.76	3.91	-0.26	1.72	11/1/2009
Total Inflation Linked Custom			0.74	0.11	-1.47	0.74	4.01	-0.15	2.04	11/1/2009
Harvest Fund Advisor	187,465,056	2	3.47	3.71	3.45	3.47	20.64	-31.01		1/1/2015
Alerian MLP Index			4.89	4.39	2.30	4.89	18.31	-32.59		1/1/2015
Priv Listed Infrastructure	109,395,719	1	0.00	1.21	0.03	0.00	13.35	0.40	0.75	7/1/2000
CPI + 4%				0.35	0.16		6.07	0.05	0.03	7/1/2000
Total Real Return	1,485,069,969	19	0.88	1.32	0.87	0.88	9.30	-2.76	2.74	6/1/2004
Real Estate			0.96	0.45	0.84	0.96	9.77	14.22	10.90	1/1/2005
NFI-ODCE Index			1.03	1.83	0.00	1.03	9.08	13.86	12.26	1/1/2005
ERSRI CASH	25,647,432	0	0.07	0.03	0.03	0.07	0.97	0.40	0.75	7/1/2000
BofA Merrill Lynch 3 Month US Treasury Bill GOO1			0.04	0.04	0.02	0.04	0.33	0.05	0.03	7/1/2000
Total Cash	40,087,421	1	0.06	0.03	0.02	0.06	0.91	0.38	0.74	4/1/2004
Russell Overlay Fd	18,098,436	0	0.00	-0.02	0.05	0.00	0.06	0.00	-0.02	9/1/2008
TOTAL PLAN	7,790,554,783	100	1.55	1.35	0.61	1.55	7.35	-0.28	4.52	7/1/2000
Total Plan Benchmark			1.66	1.34	0.19	1.66	6.32	-0.25	5.04	7/1/2000
60/40 Blend			1.72	1.35	-0.49	1.72	5.92	-0.98	4.96	7/1/2000
Total Plan ex Overlay	7,772,456,347	100	1.55	1.37	0.55	1.55	7.29	-0.28	4.54	8/1/2008
Total Plan Benchmark			1.66	1.34	0.19	1.66	6.32	-0.25	5.04	8/1/2008



Total Performance Summary

Report ID: IPM0005

Reporting Currency: USD

TOTAL NET OF FEES

1/31/2017

Account Name Benchmark Name	Market Value	% of Total	Month	Cumulative				YTD	2014	2015	2016	Inception Date
				12/1/2016 - 12/31/2016	11/1/2016 - 11/30/2016	2016	2015					

Total Plan ex PE,RE & Priv Inf
Total Plan BM ex PE RE

6,589,610,486	85	1.73	1.52	0.55	1.73	6.97	-1.68	3.98	4/1/1996
		1.81	1.40	0.10	1.81	6.12	-1.64	3.90	4/1/1996

END NOTES
1/31/2017

1 RI6G23000000 TOTAL PLAN

Month - Current Month

Cumulative Months - Prior Month and Second Prior Month

Monthly Reporting for Private Equity and Real Estate skew performance on an actual and benchmark basis due to nature of valuations

2014, 2013, 2012 - Calendar Years

RI6G23000000 TOTAL PLAN

The current composition of the Total Plan Benchmark is as follows:

15.0% Barclays U.S. Aggregate Bond Index

44.5% MSCI All Country World Net Index

7.0% HFRI Fund of Funds Composite Index

3.0% BofA Merrill Lynch 3 Month US Treasury Bill

8.0% HFRI Equity Hedge (Total) Index

5.0% NFI-ODCE Index

4.0% Barclays U.S. Treasury Inflation Notes: 1-10 Year Index

5.0% Credit Aggregate Custom: 30% BoA1-3BB-B HY/35%CSInstLLI/35% JPM BB/B Leveraged Loan Index

7.0% ILPA All Funds Index

1.5% Alerian MLP Total Return Index

Section VII.

Hedge Fund Returns

Employees' Retirement System of the State of Rhode Island

Hedge Fund Portfolio
 Portfolio Performance Summary
 Estimated as of January 31, 2017

Fund	Market Value	Actual%	Jan	QTD	YTD	1 Year	3 Year	5 Year	Incep	Std Dev	Sharpe Ratio	Incep Date
Global Equities												
Ascend ERSRI Fund LP	70,433,058	6.4%	1.95%	1.95%	1.95%	3.42%	1.02%	3.31%	3.10%	3.45%	0.78	Nov-11
Davidson Kempner Institutional Partners, L.P.	81,324,632	7.4%	0.72%	0.72%	0.72%	4.87%	4.41%	5.97%	5.96%	2.04%	2.65	Nov-11
Elliott Associates, L.P.	98,276,861	9.0%	2.10%	2.10%	2.10%	10.00%	8.41%	10.40%	9.85%	3.80%	2.40	Nov-11
ESG Cross Border Equity Fund LP	37,269,098	3.4%	-2.50%	-2.50%	-2.50%	-9.34%	-	-	-10.41%	8.13%	-1.37	Jun-14
Indus Asia Pacific Distribution Holding Company II, 06.30.14 Series (liquidating trust)	336,001	0.0%	0.10%	0.10%	0.10%	11.94%	-24.50%	-14.64%	-14.01%	18.41%	-0.74	Jan-12
Luxor Capital Partners, LP - Holdback	1,453,695	0.1%	0.00%	0.00%	0.00%	0.00%	-	-	0.00%	0.00%	-	Jul-16
Luxor Capital Partners, LP - Liquidating SPV	3,838,370	0.3%	0.86%	0.86%	0.86%	-9.19%	-	-	-9.19%	4.87%	-	Jul-16
PFM Diversified Fund, L.P.	78,978,374	7.2%	2.28%	2.28%	2.28%	2.58%	1.00%	-	7.73%	8.87%	0.63	Mar-12
Samlyn Onshore Fund, L.P.	109,924,249	10.0%	1.60%	1.60%	1.60%	7.73%	3.81%	7.09%	7.73%	6.30%	1.15	Jan-12
Viking Global Equities, LP	100,216,048	9.1%	2.00%	2.00%	2.00%	4.01%	6.11%	10.48%	10.44%	7.49%	1.31	Dec-11
Total Global Equities	582,050,384	53.0%	1.48%	1.48%	1.48%	4.75%	3.83%	5.39%	5.29%	4.35%	1.11	Nov-11
MSCI AC World Index Free - Net			2.73%	2.73%	2.73%	9.47%	5.49%	8.72%	8.78%	11.27%	0.77	Nov-11
Russell 3000 Index (DRI)			1.88%	1.88%	1.88%	10.84%	10.28%	13.97%	14.45%	10.41%	1.31	Nov-11
HFRI Equity Hedge (Total) Index			2.11%	2.11%	2.11%	8.10%	3.11%	5.10%	5.02%	6.17%	0.76	Nov-11
Real Return												
Brevan Howard LP	79,537,739	7.2%	-1.47%	-1.47%	-1.47%	2.68%	0.02%	0.79%	1.13%	5.63%	0.15	Nov-11
Brigade Leveraged Capital Structures Fund LP	62,718,453	5.7%	2.21%	2.21%	2.21%	11.09%	4.20%	-	4.72%	5.74%	0.76	Mar-12
Capula Global Relative Value Fund Ltd.	68,091,555	6.2%	0.23%	0.23%	0.23%	5.36%	7.70%	6.60%	6.16%	1.90%	2.94	Dec-11
Claren Road Credit Fund, Ltd.	4,196,131	0.4%	0.00%	0.00%	0.00%	9.91%	-3.36%	-	-1.75%	11.20%	-0.14	Apr-13
DE Shaw Composite Fund LLC	96,102,017	8.8%	0.90%	0.90%	0.90%	4.22%	12.28%	13.48%	13.25%	4.24%	2.86	Nov-11
Graham Absolute Return Trading Ltd.	60,785,100	5.5%	-1.98%	-1.98%	-1.98%	9.09%	4.38%	3.82%	3.91%	5.11%	0.70	Jan-12
OZ Domestic Partners II, L.P.	108,334,674	9.9%	2.18%	2.18%	2.18%	8.60%	3.87%	7.39%	7.26%	4.64%	1.45	Nov-11
Winton Futures Fund Limited	35,363,747	3.2%	-1.09%	-1.09%	-1.09%	-3.97%	4.14%	2.95%	3.23%	8.67%	0.36	Dec-11
Total Real Return	515,129,416	47.0%	0.37%	0.37%	0.37%	5.80%	4.15%	4.81%	4.84%	2.64%	1.65	Nov-11
ML 3-month T-Bills			0.04%	0.04%	0.04%	0.22%	0.15%	0.13%	0.12%	0.04%	-	Nov-11
HFRI Fund of Funds Composite Index			0.70%	0.70%	0.70%	3.91%	1.57%	3.20%	3.09%	3.46%	0.78	Nov-11
Total Hedge Fund Portfolio	1,097,179,799	100.0%	0.95%	0.95%	0.95%	5.24%	2.73%	5.12%	5.10%	3.22%	1.43	Nov-11
HFRI Fund of Funds Composite Index			0.70%	0.70%	0.70%	3.91%	1.57%	3.20%	3.09%	3.46%	0.78	Nov-11

Employees' Retirement System of the State of Rhode Island
 Hedge Fund Portfolio
 Portfolio Performance Summary
 Estimated as of January 31, 2017

Fund	Market Value		Returns					Std Dev	Sharpe Ratio	Incep Date
	Actual%	Jan	QTD	YTD	FYTD	1 Year	3 Year			
Market Indices										
Libor3Month		0.09%	0.09%	0.09%	0.53%	0.80%	0.46%	0.41%	0.42%	Nov-11
Barclays Aggregate Bond Index		0.20%	0.20%	0.20%	-2.34%	1.46%	2.60%	2.10%	2.37%	Nov-11
Barclays High Yield Credit Bond Index		1.45%	1.45%	1.45%	8.97%	20.78%	4.93%	7.04%	7.39%	Nov-11
S&P 500 TR		1.90%	1.90%	1.90%	9.87%	20.04%	10.85%	14.09%	14.50%	Nov-11
MSCI EAFE-- Net		2.90%	2.90%	2.90%	8.74%	12.03%	0.71%	6.04%	5.59%	Nov-11
MSCI EMF (Emerging Markets Free) - Net		5.47%	5.47%	5.47%	10.20%	25.41%	1.44%	0.19%	0.68%	Nov-11

Most recent month returns are based on manager estimates; prior months use final market values.

Hedge Fund Research, Inc. ("HFR") is the source and owner of the HFR data contained or reflected in this report. The HFR indices included in this report are revised by HFR for up to three months following their initial release. The revisions are reflected in the trailing period returns.

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Employees' Retirement System of the State of Rhode Island

Hedge Fund Portfolio
Fund Level Performance Report
Estimated as of January 31, 2017

Fund	Trailing Returns												Calendar Year Returns					5Y Std Dev	Sharpe Ratio		Start Date		
	QTD	YTD	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	2016	2015	2014	2013		2012	1Yr		3Yr	5Yr
Global Equities																							
Ascend Partners Fund II LP	1.20%	1.20%	1.20%	0.93%	-0.66%	-0.26%	1.75%	3.85%	-3.51%	2.66%	5.09%	12.22%	2.50%	2.97%	0.42	1.14	0.96	2.97%	0.42	1.14	0.96	Jan-04	
Davidson Kempner Institutional Partners, L.P.	0.72%	0.72%	0.72%	0.52%	0.10%	0.10%	4.30%	5.70%	6.71%	1.51%	4.45%	9.52%	6.87%	2.05%	1.73	2.53	1.57	2.05%	1.73	2.53	1.57	Jan-96	
Elliott Associates, L.P.	2.10%	2.10%	2.10%	1.70%	2.20%	17.23%	7.93%	9.93%	12.98%	2.51%	8.24%	12.44%	13.18%	3.58%	1.82	2.54	1.94	3.58%	1.82	2.54	1.94	Jan-90	
ESG Cross Border Equity Fund LP	-2.50%	-2.50%	-2.50%	0.20%	-5.50%	-16.72%	-8.83%	-2.01%	-13.04%	-5.06%	-7.16%	13.59%	6.74%	7.49%	-1.15	-0.29	0.57	7.49%	-1.15	-0.29	0.57	Jan-04	
Indus Asia Pacific Fund, LP	0.10%	0.10%	0.10%	-0.32%	-2.31%	-24.17%	-24.48%	-14.39%	-26.00%	-33.23%	-15.60%	4.97%	8.21%	18.63%	-1.11	-0.75	0.81	18.63%	-1.11	-0.75	0.81	Dec-00	
Luxor Capital Partners, LP	7.50%	7.50%	7.50%	1.83%	7.17%	22.98%	-5.49%	0.89%	8.42%	8.10%	2.84%	22.17%	5.59%	9.78%	-0.47	0.10	0.81	9.78%	-0.47	0.10	0.81	Nov-04	
PFM Diversified Fund, L.P.	2.28%	2.28%	2.28%	1.20%	0.64%	7.41%	3.52%	6.83%	11.77%	-1.29%	9.24%	18.93%	10.49%	6.17%	0.48	1.04	1.02	6.17%	0.48	1.04	1.02	Mar-07	
Samlyn Onshore Fund, L.P.	1.52%	1.52%	1.52%	1.20%	0.64%	7.41%	3.52%	6.83%	11.77%	-1.29%	9.24%	18.93%	10.49%	6.17%	0.48	1.04	1.02	6.17%	0.48	1.04	1.02	Mar-07	
Viking Global Equities, LP	2.00%	2.00%	2.00%	0.10%	-1.50%	0.83%	6.07%	10.38%	-3.92%	8.27%	13.47%	22.65%	12.75%	7.54%	0.65	1.30	1.42	7.54%	0.65	1.30	1.42	Oct-99	
Real Return																							
Brevar Howard LP	-1.46%	-1.46%	-1.46%	0.21%	5.57%	0.98%	0.01%	0.86%	2.99%	-1.98%	-0.78%	2.68%	3.91%	5.81%	-0.04	0.10	0.92	5.81%	-0.04	0.10	0.92	Sep-05	
Brigade Leveraged Capital Structures Fund LP	2.21%	2.21%	2.21%	2.49%	0.30%	24.71%	4.19%	4.73%	23.04%	-10.73%	0.61%	6.13%	6.91%	5.69%	0.55	0.77	0.74	5.69%	0.55	0.77	0.74	Jan-07	
Capula Global Relative Value Fund Ltd.	0.23%	0.23%	0.23%	1.69%	1.41%	7.58%	7.71%	6.59%	8.37%	7.54%	8.14%	7.60%	0.41%	1.81%	4.45	3.32	1.90	1.81%	4.45	3.32	1.90	Oct-05	
Claren Road Credit Fund, Ltd.	0.00%	0.00%	0.00%	0.50%	1.25%	-13.97%	-10.97%	-4.78%	-12.72%	-7.96%	-10.10%	5.43%	1.49%	7.00%	-1.50	-0.72	0.35	7.00%	-1.50	-0.72	0.35	Jan-06	
DE Shaw Composite Fund LLC	0.90%	0.90%	0.90%	-1.00%	0.40%	6.97%	11.60%	12.01%	6.12%	13.68%	15.57%	11.51%	13.94%	4.08%	2.45	2.71	1.56	4.08%	2.45	2.71	1.56	Mar-01	
Graham Absolute Return Trading Ltd.	-1.98%	-1.98%	-1.98%	2.38%	4.94%	8.74%	7.56%	7.94%	11.78%	1.50%	10.42%	10.50%	9.29%	7.51%	0.84	1.00	1.05	7.51%	0.84	1.00	1.05	Jan-05	
OZ Domestic Partners II, L.P.	2.18%	2.18%	2.18%	0.77%	1.46%	8.17%	3.71%	6.98%	3.79%	-0.44%	5.45%	14.20%	12.01%	4.56%	0.62	1.42	1.07	4.56%	0.62	1.42	1.07	Jan-04	
Winton Futures Fund Limited	-1.09%	-1.09%	-1.09%	1.38%	-0.81%	-5.84%	4.14%	2.95%	-3.01%	0.95%	13.88%	9.43%	-3.56%	8.80%	0.43	0.33	0.67	8.80%	0.43	0.33	0.67	Oct-97	
Benchmark																							
HFRI Fund of Funds Composite Index	0.70%	0.70%	0.70%	0.92%	0.24%	3.99%	1.57%	3.20%	0.53%	-0.27%	3.37%	8.96%	4.79%	3.42%				3.42%				Jan-90	
HFRI Fund Weighted Composite Index	1.21%	1.21%	1.21%	1.00%	0.78%	9.57%	3.00%	4.18%	5.45%	-1.12%	2.98%	9.13%	6.36%	3.97%				3.97%				Jan-90	
Market Indices																							
3 Month Labor - BOM	0.09%	0.09%	0.09%	0.08%	0.08%	0.80%	0.46%	0.41%	0.76%	0.33%	0.23%	0.27%	0.42%	0.06%				0.06%				Jan-87	
Barclays Aggregate Bond Index	0.20%	0.20%	0.20%	0.14%	-2.37%	1.46%	2.60%	2.10%	2.66%	0.57%	5.94%	-2.02%	4.23%	2.89%				2.89%				Jan-76	
Barclays High Yield Credit Bond Index	1.45%	1.45%	1.45%	1.85%	-0.47%	20.78%	4.93%	7.04%	17.14%	-4.46%	2.46%	7.46%	15.81%	5.43%				5.43%				Jul-83	
S&P 500 (TR)	1.90%	1.90%	1.90%	1.98%	3.70%	20.04%	10.85%	14.09%	11.96%	1.38%	13.69%	32.39%	16.00%	10.26%				10.26%				Jun-88	
MSCI EAFE - Net - USD	2.90%	2.90%	2.90%	3.42%	-1.95%	12.03%	0.71%	6.04%	11.90%	-0.81%	-4.90%	22.78%	17.31%	13.38%				13.38%				Dec-69	
MSCI EMF (EMERGING MARKETS FREE) - Net - USD	5.47%	5.47%	5.47%	0.22%	-4.60%	25.41%	1.44%	0.19%	11.19%	-14.92%	-2.19%	-2.60%	18.23%	15.54%				15.54%				Dec-87	

Note: The above is manager composite history.

Section VIII.

Private Equity Returns

Portfolio Summary

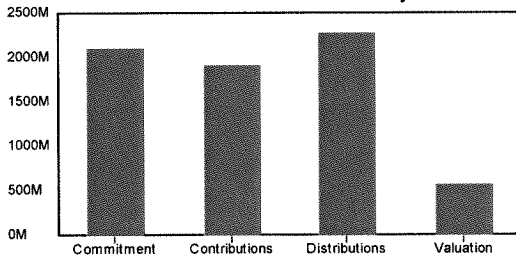
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All Portfolio Investments

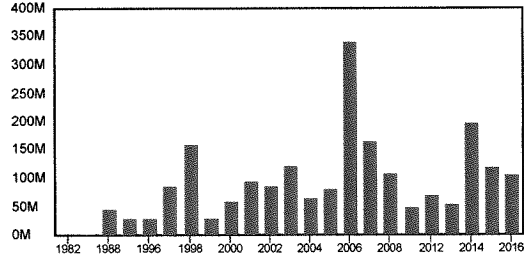
Performance Summary

Asset Class	Investment Type	Number of Investments	Commitment	Contributions	Distributions	Adjusted Valuation	Multiple of Cost	IRR	TWR
Private Equity Funds	Agriculture	1	30,000,000	9,902,288	0	7,874,908	0.80	-27.72	-85.96
	Buyout	75	1,241,079,211	1,154,922,769	1,482,743,638	294,677,507	1.54	13.08	13.18
	Direct Lending	3	75,000,000	44,733,420	17,916,170	32,808,026	1.13	9.13	8.38
	Distressed Debt	14	238,000,000	213,994,269	225,536,527	69,591,803	1.38	10.31	9.97
	Energy	8	148,000,000	135,088,542	178,595,240	25,385,229	1.51	23.84	6.93
	Fund of Funds	1	45,000,000	45,000,000	106,748,821	0	2.37	19.94	-100.00
	Secondary	4	60,000,000	54,909,565	58,559,657	26,820,187	1.55	10.79	12.73
	Venture Capital	22	281,250,000	248,911,227	207,434,076	111,655,706	1.28	5.02	1.87
	Total: Private Equity Funds		128	2,118,329,211	1,907,462,080	2,277,534,129	568,813,366	1.49	13.46
Total:		128	2,118,329,211	1,907,462,080	2,277,534,129	568,813,366	1.49	13.46	10.95

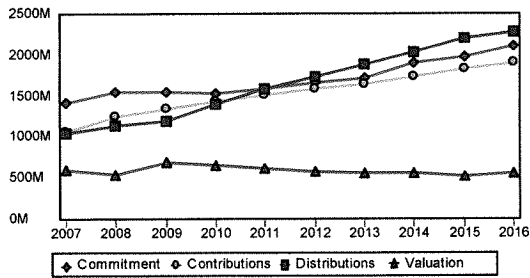
Cash Flow and Valuation Summary



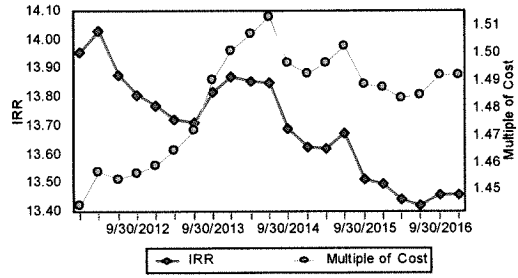
Commitment by Vintage Year



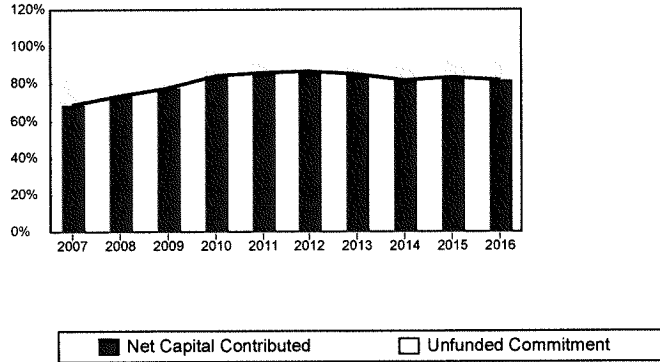
Historical Cash Flows and Valuation



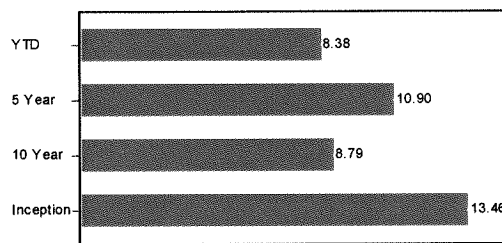
Historical Performance



Historical Percent Funded



Period IRRs



Employees' Retirement System of Rhode Island Private Equity Performance
9/30/2016

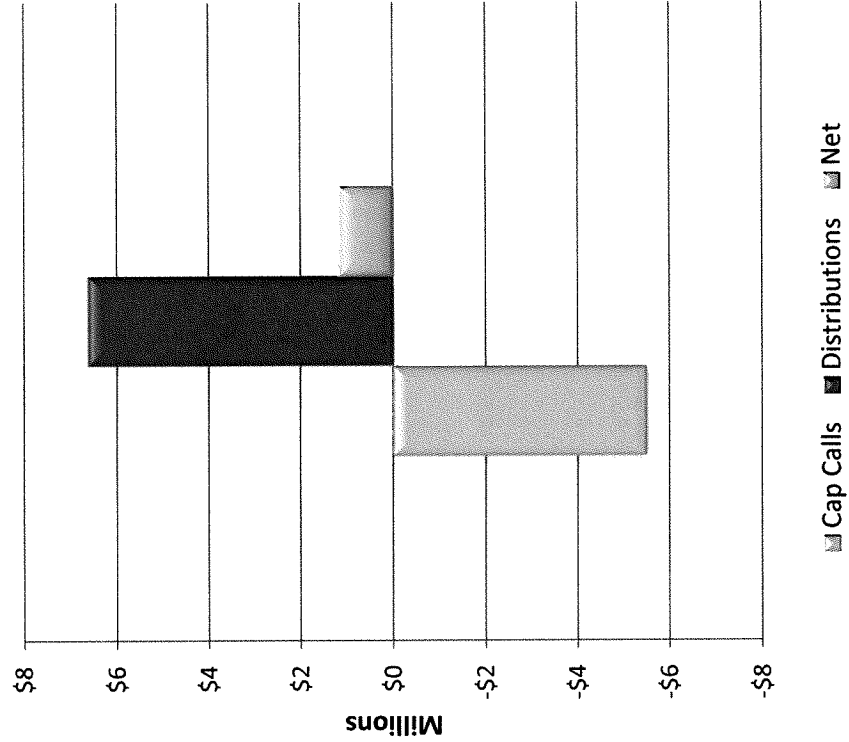
Current Partnerships	Vintage Year	Amount Committed (In \$ unless otherwise noted)	Cumulative Cash Flows (\$)				Cumulative Performance*	
			Amount Drawn	Amount Distributed	Amount Unfunded	Valuation (\$)	Net IRR (%)	Net Multiple of Investment
Advent International GPE VII	2012	20,000,000	17,070,000	2,670,000	2,930,000	21,439,908	16.7	1.4
Advent International GPE VIII	2016	20,000,000	420,000	-	19,580,000	311,297	-99.9	0.7
Alta BioPharma Partners III	2003	15,000,000	14,250,000	20,297,956	750,000	472,608	5.8	1.5
Alta Partners VIII	2006	15,000,000	15,000,000	22,518,408	-	8,422,547	16.0	2.1
Aurora Equity Partners III	2004	15,000,000	16,242,296	26,640,090	835,850	1,649,318	15.6	1.7
Avenue Special Situations Fund IV	2006	20,000,000	25,179,595	32,706,000	-	170,482	8.3	1.3
Avenue Special Situations Fund V	2007	20,000,000	20,329,267	26,322,021	-	159,605	10.6	1.3
Bain Capital Fund X	2008	25,000,000	24,370,048	21,732,175	692,452	12,668,609	7.7	1.4
Baring Asia Private Equity Fund VI	2015	15,000,000	5,480,919	22,568	9,519,081	5,837,888	11.2	1.1
Birch Hill Equity Partners III	2005	CAD 18,000,000	18,887,577	29,210,055	255,847	6,790,578	13.0	1.9
Capital Spring Investment Partners	2016	30,000,000	7,540,877	-	22,459,123	7,342,893	-3.3	1.0
Carlyle Asia Partners IV	2014	30,000,000	15,966,227	1,021,160	15,096,343	15,964,603	4.3	1.1
Castle Ventures III	2006	5,000,000	5,009,730	1,396,371	-	1,595,590	-10.1	0.6
Centerbridge Capital Partners	2006	15,000,000	23,550,697	34,877,590	1,095,594	7,515,241	20.2	1.8
Centerbridge Capital Partners III	2015	25,000,000	6,656,949	263,547	18,606,598	7,575,896	17.6	1.2
Centerbridge Special Credit Partners II	2012	25,000,000	22,500,000	9,754,266	2,500,000	13,798,354	1.5	1.1
Charterhouse Capital Partners VIII	2006	€ 15,000,000	18,183,957	17,390,855	634,428	19,498	-0.7	1.0
Coller International Partners IV	2002	15,000,000	13,294,667	17,638,731	150,000	357,387	11.5	1.4
Coller International Partners V	2006	15,000,000	12,520,679	14,394,691	3,270,000	3,737,346	8.8	1.5
CVC European Equity Partners III	2001	20,000,000	23,158,043	59,551,716	899,966	521,545	41.1	2.6
CVC European Equity Partners IV	2005	€ 16,500,000	21,266,657	35,521,758	2,152,082	5,174,799	17.0	1.9
CVC European Equity Partners V	2008	€ 20,000,000	28,881,959	28,999,019	878,841	14,038,623	12.4	1.5
CVC Capital Partners VI	2014	€ 15,000,000	6,622,932	546,229	10,931,447	5,930,775	-1.9	1.0
EnCap Energy Capital Fund IX	2013	18,000,000	15,947,015	4,129,598	3,448,106	15,063,588	13.9	1.2
EnCap Energy Capital Fund X	2015	25,000,000	6,635,643	-	18,364,357	6,273,483	-9.8	1.0
Fenway Partners Capital Fund II	1998	15,000,000	18,513,234	20,350,029	232,336	1,781,949	4.9	1.2
Fenway Partners Capital Fund III	2006	15,000,000	16,976,092	13,756,197	1,266,241	5,315,631	2.4	1.1
First Reserve Fund X	2004	20,000,000	19,999,999	36,485,800	-	79,385	31.0	1.8
First Reserve Fund XI	2006	20,000,000	22,125,580	13,938,027	-	2,073,861	-8.6	0.7
Focus Ventures III	2006	15,000,000	15,000,000	5,411,619	-	3,808,843	-8.9	0.6
Garrison Opportunity Fund IV	2014	30,000,000	15,562,346	(498,315)	14,382,700	16,478,597	2.3	1.0
Granite Global Ventures II	2004	15,000,000	14,333,510	15,007,914	675,000	8,688,238	6.6	1.7
Granite Global Ventures III	2006	15,000,000	14,625,503	21,339,969	375,000	11,087,460	15.6	2.2
Green Equity Investors V	2007	20,000,000	20,422,385	24,689,826	1,731,092	14,237,124	17.6	1.9
Industry Ventures Partnership Holdings III	2014	25,000,000	16,500,000	803,450	8,500,000	19,128,231	14.2	1.2
Industry Ventures Partnership Holdings III C	2015	15,000,000	2,862,500	-	12,337,500	2,576,319	-4.9	1.0
Industry Ventures Partnership Holdings IV	2016	10,000,000	400,000	-	9,600,000	382,881	-13.1	1.0
Kayne Anderson Energy Fund III	2005	15,000,000	15,965,344	14,983,550	366,426	406,307	-2.0	1.0
Kayne Anderson Energy Fund IV	2007	15,000,000	16,605,519	16,345,850	-	1,488,605	2.5	1.1
Leapfrog Ventures II	2005	10,000,000	9,490,000	6,811,564	510,000	3,775,902	2.0	1.1
Leeds Equity Partners IV	2003	10,000,000	10,209,327	11,467,347	1,099,639	2,156,587	4.7	1.3
Lighthouse Capital Partners V	2003	11,250,000	10,462,500	12,208,726	787,500	98,388	3.8	1.2
Lighthouse Capital Partners VI	2007	15,000,000	14,250,000	19,271,256	750,000	1,419,209	7.2	1.5
LNK Partners	2006	12,500,000	12,062,334	16,651,771	439,919	2,584,653	10.6	1.6
MHR Institutional Partners III	2006	20,000,000	20,800,000	20,133,259	6,974,396	8,871,987	7.0	1.4
Nautic Partners V	2000	20,000,000	20,325,743	40,372,953	641,735	1,665,008	17.2	2.1
Nautic Partners VI	2007	20,000,000	23,972,088	44,047,795	777,633	8,496,822	17.4	2.2
Nautic Partners VII	2014	20,000,000	13,567,043	5,135,745	7,619,590	17,115,674	70.8	1.6
Nordic Capital Fund V	2003	€ 14,615,550	21,434,529	57,872,857	-	916,025	21.0	2.1
Nordic Capital Fund VI	2006	€ 15,000,000	22,435,404	23,273,674	-	9,433,926	6.4	1.5
Nordic Capital Fund VII	2008	€ 15,000,000	20,035,142	6,471,638	1,614,531	17,096,654	3.2	1.2
Nordic Capital Fund VIII	2013	€ 15,000,000	9,987,631	368,111	7,976,487	9,320,463	-1.6	1.0
Oaktree European Principal Fund III	2011	20,000,000	17,150,000	2,432,019	5,271,496	19,466,302	8.8	1.3
Paine & Partners Capital Fund IV	2015	30,000,000	9,902,288	-	20,104,571	7,874,908	-27.7	0.8
Paladin III	2008	10,000,000	12,353,480	5,622,527	423,623	9,983,851	6.6	1.3
Parthenon Investors II	2001	23,960,000	23,409,381	37,045,489	1,821,022	990,630	12.4	1.6
Point 406 Ventures I	2006	10,000,000	10,331,265	4,123,844	520,000	13,730,976	10.4	1.7
Point Judith Venture Fund II	2006	5,000,000	6,030,136	2,085,239	216,950	3,143,800	-2.9	0.9
Providence Equity Partners IV	2000	25,000,000	35,971,884	68,445,391	1,995,291	202,251	23.9	1.9
Providence Equity Partners V	2005	25,000,000	31,136,262	34,127,175	2,196,098	3,867,689	3.8	1.2
Providence Equity Partners VI	2007	25,000,000	29,081,469	25,486,075	1,467,411	13,652,250	6.4	1.4
Providence Equity Partners VII	2012	25,000,000	18,250,646	3,960,222	10,723,763	17,633,091	11.5	1.2
Riverside Capital Appreciation Fund VI	2013	20,000,000	13,916,528	24,470	6,083,472	16,024,301	10.8	1.2
Riverside Micro-Cap Fund III	2014	20,000,000	17,758,317	(4,719)	2,241,683	21,536,111	11.9	1.2
Sorenson Capital Partners III	2014	30,000,000	13,666,010	-	16,776,753	13,417,662	-1.8	1.0
Southwest Partners VII	2016	30,000,000	691,249	-	29,308,751	68,591	-100.0	0.1
Tenex Capital Partners II	2016	25,000,000	1,885,611	-	23,114,052	1,594,848	-14.8	0.9
TPG Partners IV	2003	15,000,000	16,672,684	30,295,297	64,421	2,315,615	15.8	2.0
TPG Partners V	2006	20,000,000	20,697,887	20,658,284	1,774,959	7,944,490	5.3	1.4
TPG Partners VI	2008	10,000,000	13,549,362	11,384,330	924,624	6,745,782	9.3	1.3
Trilantic Capital Partners IV	2007	11,098,351	11,528,514	15,849,474	1,229,733	2,110,634	13.9	1.6
W Capital Partners	2004	15,000,000	14,197,500	10,229,777	802,500	529,283	-9.4	0.8
W Capital Partners II	2007	15,000,000	14,896,718	16,296,457	1,596,691	4,952,110	11.4	1.4
WLR Recovery Fund IV	2007	8,000,000	7,277,318	8,374,194	765,256	1,536,387	8.0	1.4
Other funds in aggregate**	various	120,000,000	112,035,382	99,562,553	13,523,510	49,255,493		
Total		\$ 1,434,895,119	\$ 1,256,079,378	\$ 1,250,303,514	\$ 356,654,478	\$ 551,894,245		

*IRR refers to the fund's Internal Rate of Return, or the annualized compounded yield on an investment. This calculation is typically applied in private equity where there are multiple points at which capital is invested (capital called) and at which it is distributed. A positive IRR means that the fund's current value plus any cash distributions are greater than the cash value contributed and management fees paid. Typically a fund will have a negative IRR during the first few years of its life, a period referred to as the "J-Curve", because cash is invested upfront and it takes time to generate value. It is important to consider a fund's start date (vintage year) when assessing IRRs. Multiple of investment is another indicator of returns, and is calculated by dividing the fund's cumulative distributions and current value, after fees, by the amount of capital paid in. Please note that performance calculations are specific to the ERSRI investment, and were not prepared, reviewed or approved by the General Partners.

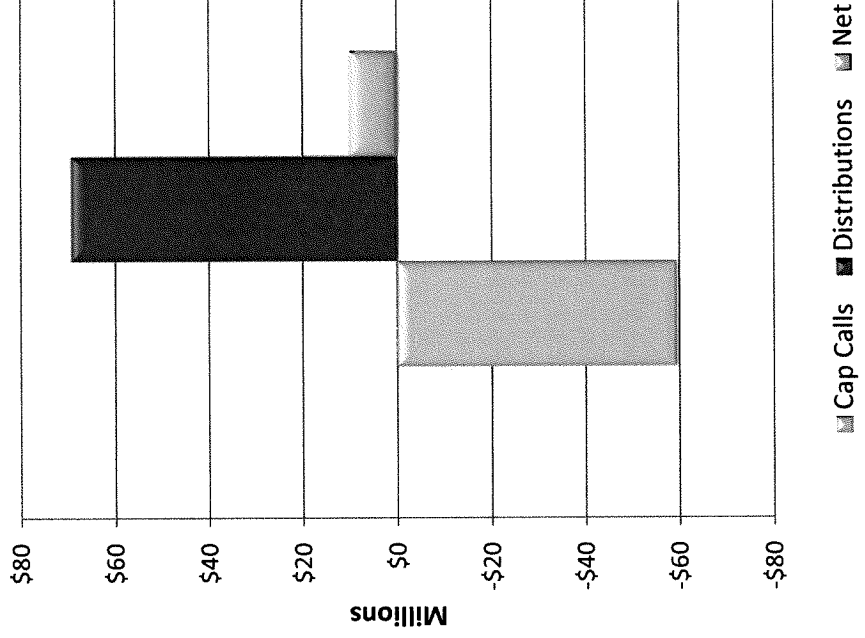
**Other funds in aggregate are the total commitments to and amounts drawn and distributed by funds whose confidentiality provisions do not permit the disclosure of their performance data. These funds include Braemar Energy Ventures III, Constellation Ventures III, Summit Partners Credit Fund, Summit Partners Credit Fund II, Thomas, McNerney & Partners, Thomas McNerney & Partners II and Wellspring Capital Partners III.

Private Equity Cash Flows

January 2017



Fiscal YTD January 2017



Section IX.

Real Estate Returns

PORTFOLIO SUMMARY

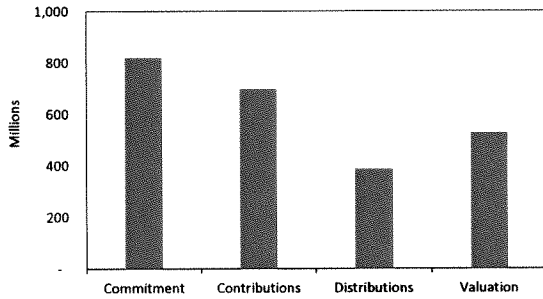
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All Portfolio Investments - Real Estate

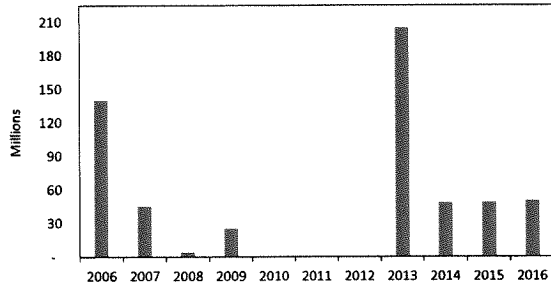
Performance Summary

Asset Class	Investment Type	Number of Investments	Commitment	Contributions	Distributions	Adjusted Valuation	Multiple of Cost	IRR	TWR
Real Estate Funds	Core	8	405,000,000	434,922,810	245,916,816	401,942,561	1.5x	5.3%	5.6%
	Non-Core	21	415,260,817	308,863,160	140,726,419	124,553,220	0.8x	-4.1%	0.9%
Total: Real Estate Funds		29	820,260,817	743,805,970	386,643,235	526,495,781	1.2x	3.7%	4.7%
Total:		29	820,260,817	743,805,970	386,643,235	526,495,781	1.2x	3.7%	4.7%

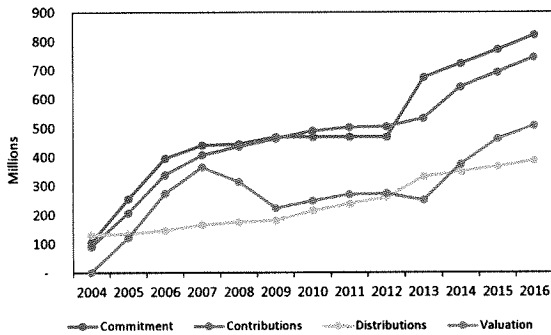
Cash Flow and Valuation Summary



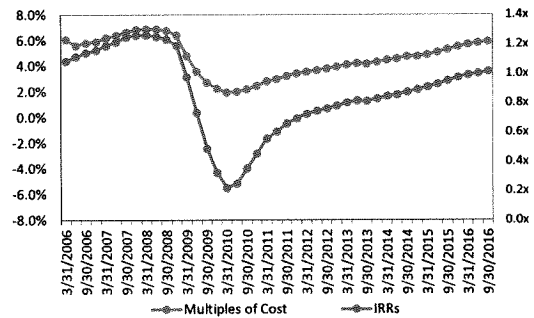
Commitment by Vintage Year



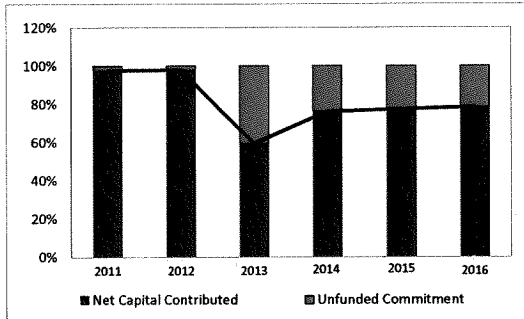
Historical Cash Flows and Valuation



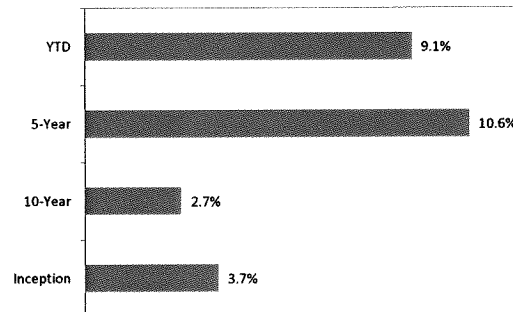
Historical Performance



Historical Percent Funded



Period IRRs

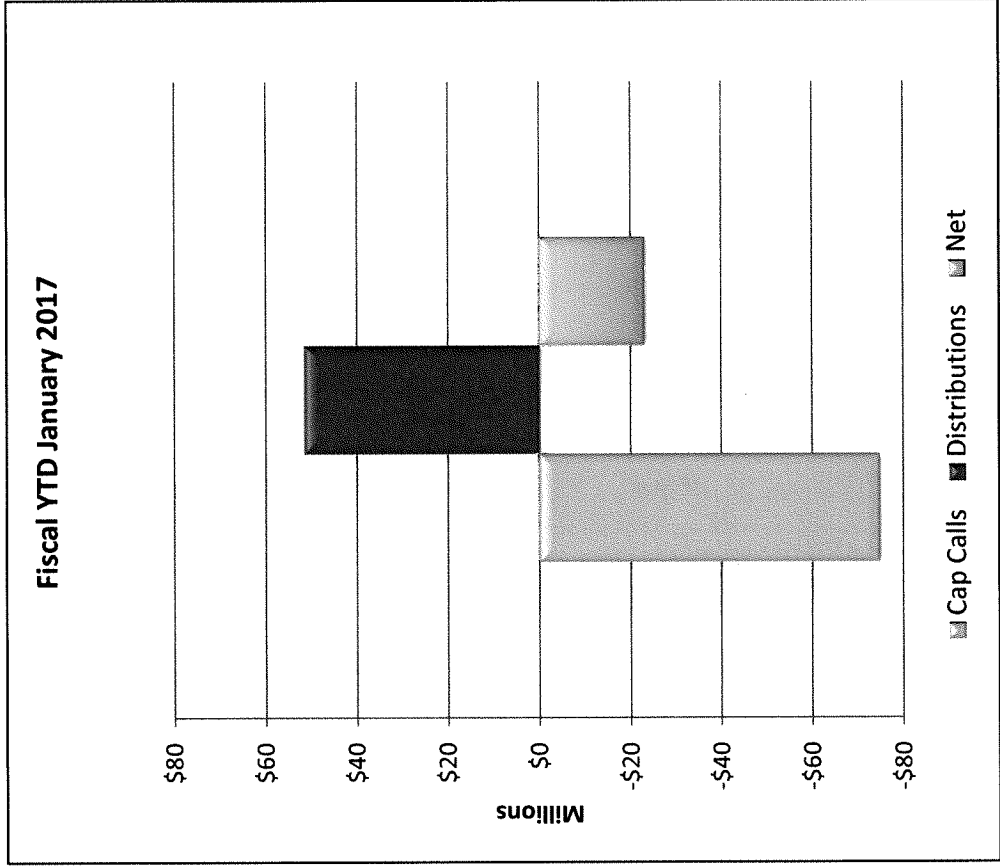
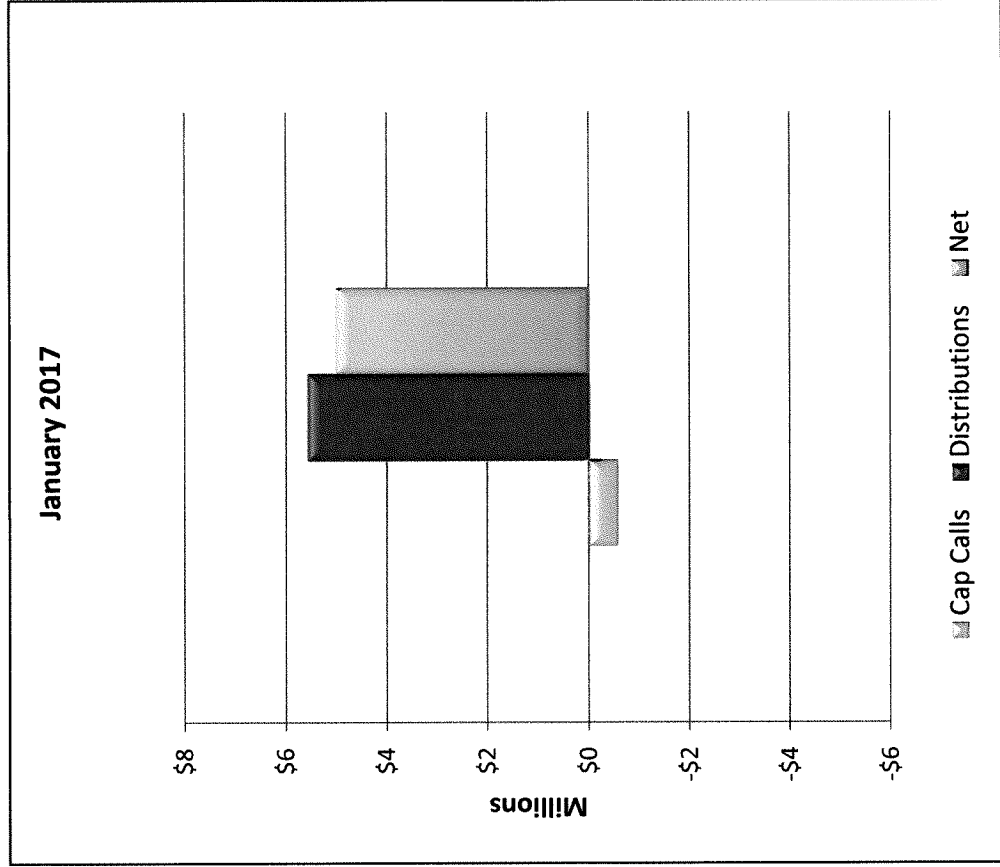


**Employees' Retirement System of Rhode Island Real Estate Performance
9/30/2016**

Current Partnerships	Vintage Year	Amount Committed (In \$ unless otherwise noted)	Cumulative Cash Flows (\$)				Cumulative Performance*	
			Amount Drawn	Amount Distributed	Amount Unfunded	Valuation (\$)	Net IRR (%)	Net Multiple of Investment
AEW Core Property Trust	open-end	60,000,000	60,000,000	10,480,447	-	91,098,997	12.4%	1.7
Crow Holdings Retail Fund	2015	24,000,000	11,861,234	-	12,138,766	12,191,396	6.6%	1.0
Exeter Industrial Value Fund III	2014	30,000,000	21,000,000	1,372,503	9,000,000	23,060,391	16.6%	1.2
GEM Realty Fund V	2013	50,000,000	28,159,592	5,815,000	21,840,408	29,478,429	12.9%	1.2
Heitman America Real Estate Trust	open-end	60,000,000	60,000,000	5,498,362	-	75,475,490	12.9%	1.2
IC Berkeley Partners III	2013	18,000,000	16,038,326	4,361,760	1,961,674	15,908,692	22.5%	1.3
IC Berkeley Partners IV	2016	30,000,000	3,087,000	-	26,913,000	2,854,155	-26.9%	0.9
JP Morgan Strategic Property Fund	open-end	75,000,000	75,000,000	22,466,103	-	103,308,695	6.3%	1.5
JP Morgan Alternative Property Fund	2006	20,000,000	20,000,000	14,727,125	-	191,440	-4.4%	0.7
Lone Star Real Estate Fund IV	2015	24,260,817	10,406,905	713,204	13,853,912	10,255,754	11.5%	1.1
Magna Hotel Fund III	2008	4,000,000	3,403,043	4,463,951	596,957	1,722,645	16.7%	1.8
Morgan Stanley Prime Property Fund	open-end	35,000,000	35,000,000	18,766,799	-	59,511,313	7.2%	1.9
Prudential (PRISA)	open-end	50,000,000	50,000,000	17,442,739	-	73,035,612	5.2%	1.6
TriCon Capital Fund VII	2005	15,000,000	14,571,533	3,923,226	428,487	1,120,807	-19.3%	0.3
Waterton Fund XII	2014	35,000,000	23,644,184	2,074,195	11,355,816	27,769,508	21.3%	1.2
Total		\$ 530,260,817	\$ 432,171,818	\$ 112,105,414	\$ 98,088,969	\$ 526,983,323		

*IRR refers to the fund's Internal Rate of Return, or the annualized compounded yield on an investment. This calculation is typically applied in private real estate where there are multiple points at which capital is invested (capital called) and at which it is distributed. A positive IRR means that the fund's current value plus any cash distributions are greater than the cash value contributed and management fees paid. Typically a fund will have a negative IRR during the first few years of its life, a period referred to as the "J-Curve", because cash is invested upfront and it takes time to generate value. It is important to consider a fund's start date (vintage year) when assessing IRRs. Multiple of investment is another indicator of returns, and is calculated by dividing the fund's cumulative distributions and current value, after fees, by the amount of capital paid in. Please note that performance calculations are specific to the ERSRI investment, and were not prepared, reviewed or approved by the General Partners.

Real Estate Cash Flows



Section X.

Infrastructure Returns

Portfolio Summary

9/30/2016

All Portfolio Investments – Infrastructure

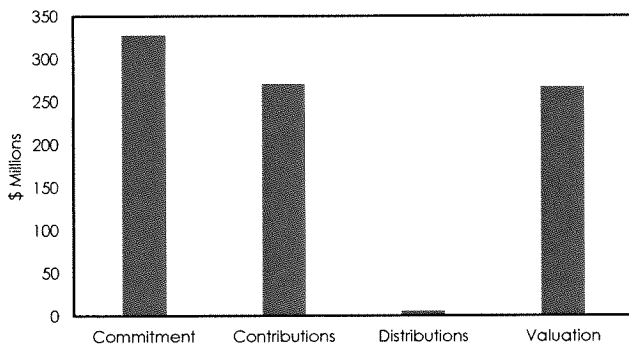


Investment	Commitment	Contributions	Distributions	Adjusted Valuation	Multiple of Cost*	Since Inception IRR*	1-yr IRR*	YTD IRR*
Harvest MLP Alpha Strategy	185,000,000	185,000,000	0	178,491,472	0.96	-2.2	28.2	40.4
IFM Global Infrastructure	50,000,000	50,000,000	1,160,536	53,808,574	1.10	6.9	6.6	6.0
ISQ Global Infrastructure Fund	50,000,000	21,448,994	4,791,186 ¹	17,632,750	1.05	7.0	31.8	14.5
Stonepeak Infrastructure Fund II	43,000,000	14,085,671	187,070	17,043,923	1.22	31.2	N/A	42.6
Total	328,000,000	270,534,665	6,138,792	266,976,719	1.01	0.7	23.7	29.9

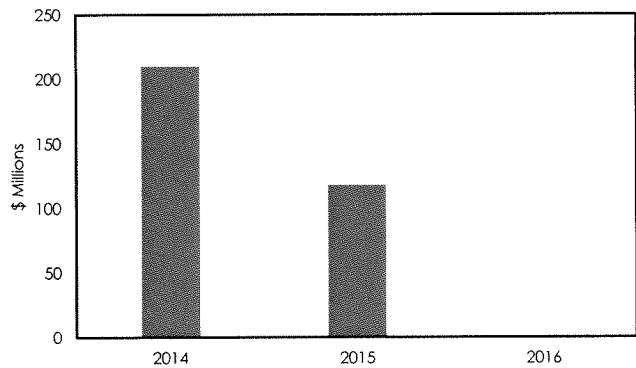
*Net of Fees and Expenses

1. Recalable Distributions

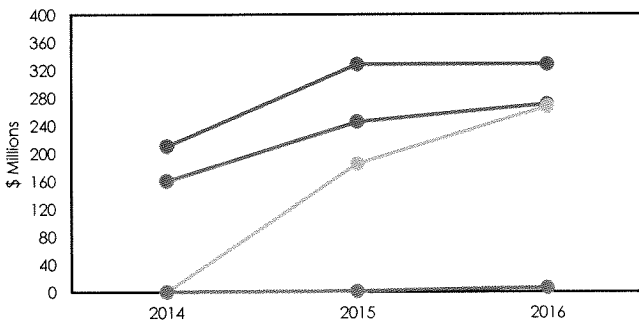
Cash Flow and Valuation Summary



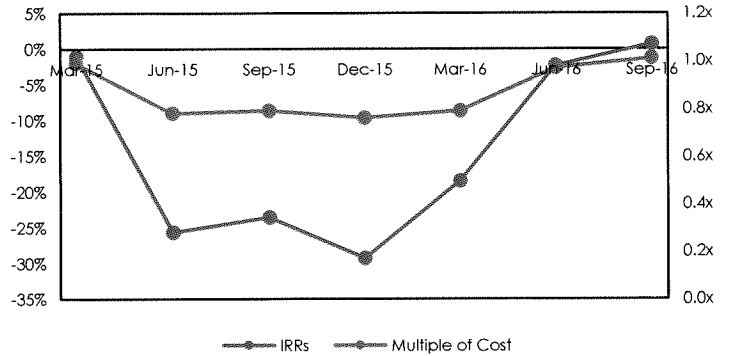
Commitment by Vintage Year



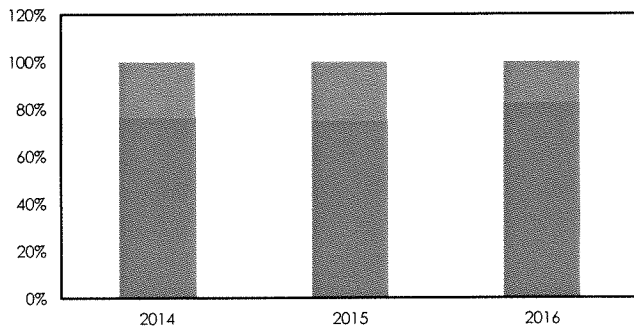
Historical Cash Flows and Valuation



Historical Performance

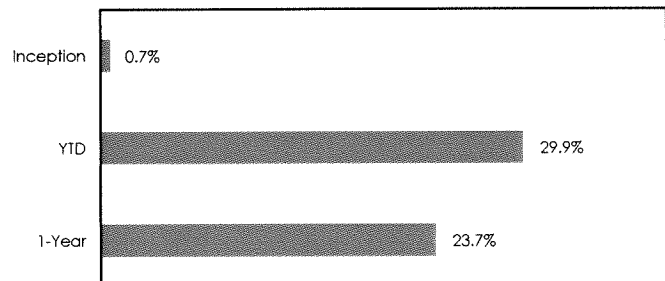


Historical Percent Funded

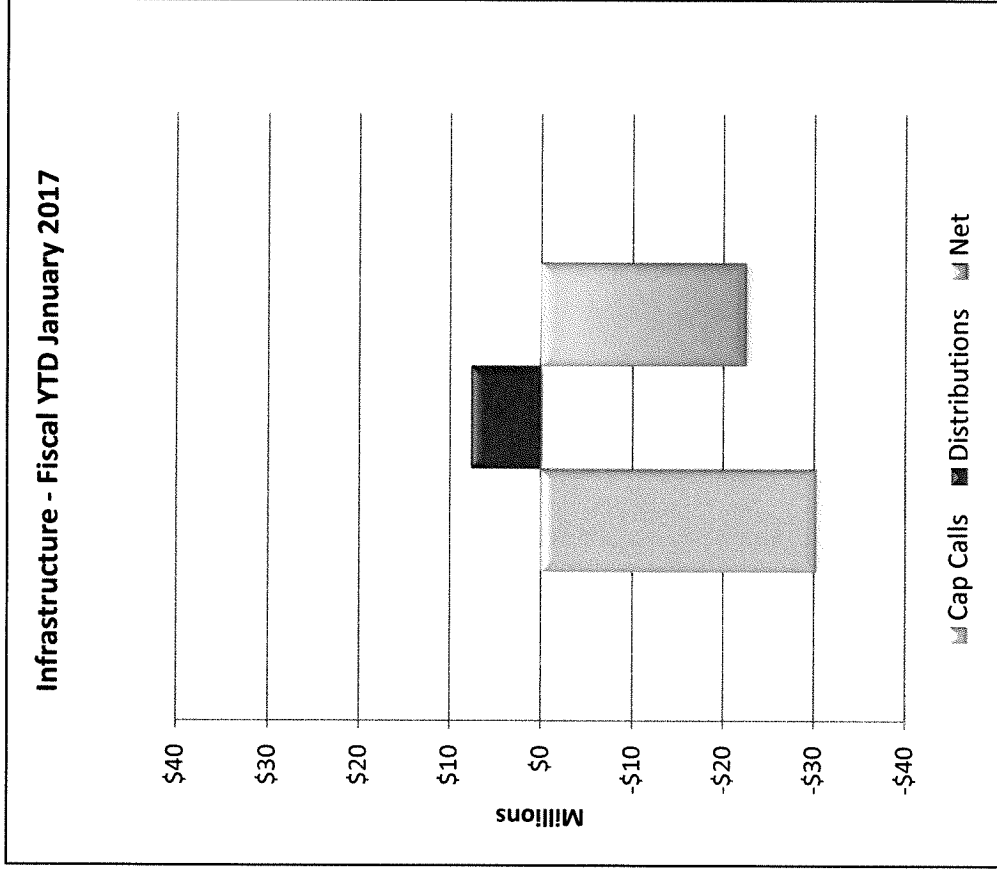
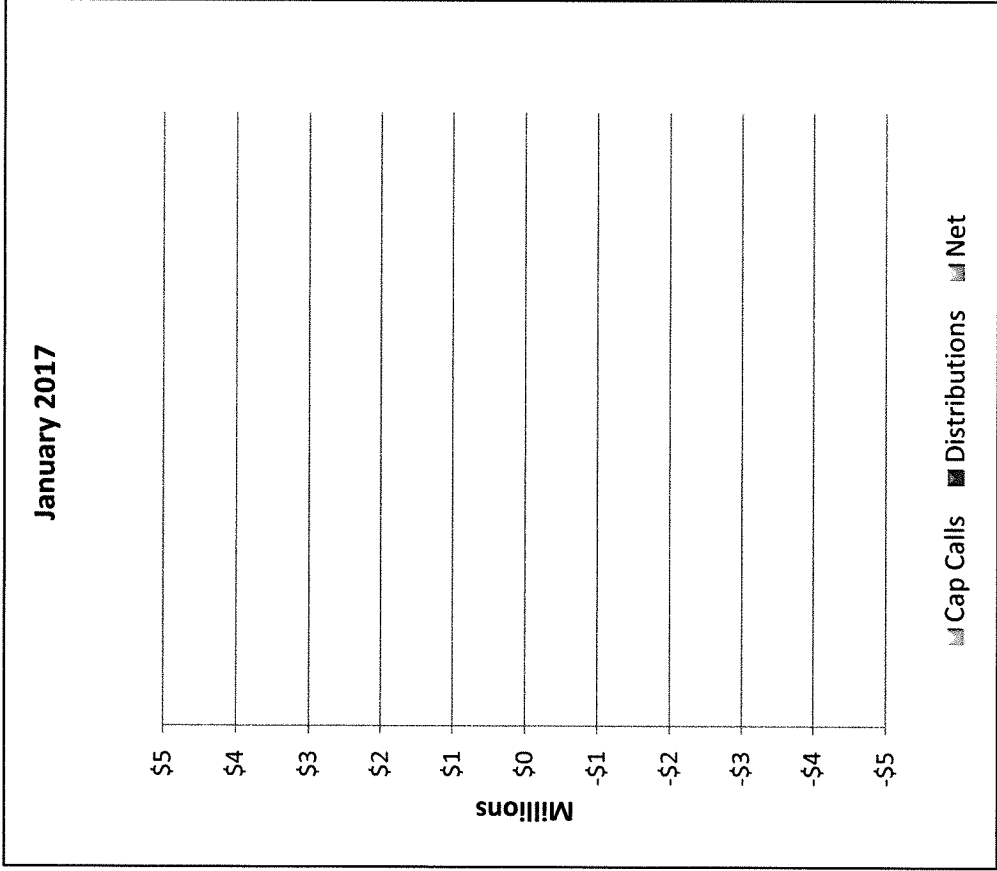


■ Net Capital Contributed ■ Unfunded Commitment

Period IRRs



Infrastructure Cash Flows



**Employees' Retirement System of Rhode Island Private Infrastructure Performance
9/30/2016**

Current Partnerships	Vintage Year	Amount Committed (In \$ unless otherwise noted)	Cumulative Cash Flows (\$)			Valuation (\$)	Cumulative Performance*	
			Amount Drawn	Amount Distributed	Amount Unfunded		Net IRR (%)	Net Multiple of Investment
IFM Global Infrastructure, L.P.	open-end	50,000,000	50,000,000	1,160,536	-	53,808,574	6.9	1.1
ISQ Global Infrastructure Fund, L.P.	2015	50,000,000	21,448,994	4,791,186	28,551,006	17,632,750	7.0	1.1
Stonepeak Infrastructure Fund II, L.P.	2016	43,000,000	14,085,671	187,070	28,914,329	17,043,923	31.2	1.2
Total		\$ 143,000,000	\$ 85,534,665	\$ 6,138,792	\$ 57,465,335	\$ 88,485,247		

*IRR refers to the fund's Internal Rate of Return, or the annualized compounded yield on an investment. This calculation is typically applied in private real estate where there are multiple points at which capital is invested (capital called) and at which it is distributed. A positive IRR means that the fund's current value plus any cash distributions are greater than the cash value contributed and management fees paid. Typically a fund will have a negative IRR during the first few years of its life, a period referred to as the "J-Curve", because cash is invested upfront and it takes time to generate value. It is important to consider a fund's start date (vintage year) when assessing IRRs. Multiple of investment is another indicator of returns, and is calculated by dividing the fund's cumulative distributions and current value, after fees, by the amount of capital paid in. Please note that performance calculations are specific to the ERSRI investment, and were not prepared, reviewed or approved by the General Partners.

Section XI.

Cash Flow

Monthly Valuation Change

Period : 2017-01-01 - 2017-01-31

Category	Source Account Name	Closing Balance	Market Value Increase/(Decrease)	Transfer In/(Out)	Opening Balance
Grand Total		7,790,554,783.15	118,931,315.61	(24,385,643.00)	7,696,009,110.54
Total Global Equity		4,179,241,743.74	97,349,763.52	99,669.65	4,081,792,310.57
Global Equity		3,601,289,743.54	90,601,867.12	99,669.65	3,510,588,206.77
	SSGA R3000 INDEX	1,345,417,133.33	24,994,954.22	39,652.87	1,320,382,526.24
	SSGA MSCI EAFE	724,044,289.43	20,344,016.56	52,465.03	703,647,777.84
	SSGA MSCI CANADA	106,600,071.07	3,880,143.37	7,551.75	102,712,375.95
	SSGA MSCI EM	317,326,298.08	16,375,563.36	0.00	300,950,734.72
	QVM TILT	1,107,901,981.63	25,007,189.61	0.00	1,082,894,792.02
Global Equity Hedge Funds		577,952,000.20	6,747,896.40	0.00	571,204,103.80
	DAVIDSON KEMPNER	81,324,631.62	634,832.23	0.00	80,689,799.39
	ELLIOTT ASSOCIATES	94,178,478.23	276,724.22	0.00	93,901,754.01
	INDUS ASIA PACIFIC	336,000.62	327.15	0.00	335,673.47
	PFM DIVERSIFIED	78,978,374.39	1,749,888.75	0.00	77,228,785.64
	SAML'N ON/OFFSHORE	109,924,248.56	1,730,327.98	0.00	108,193,920.58
	VIKING GLOBAL EQUITY	100,216,047.85	1,945,787.60	0.00	98,270,260.25
	LUXOR CAP PTNS LP	5,292,063.15	32,860.09	0.00	5,259,213.06
	ESG CBE FUND LP	37,269,097.51	(955,617.89)	0.00	38,224,715.40
	ASCENT ERSRI FUND LP	70,433,058.27	1,333,076.27	0.00	69,099,982.00
Private Equity		535,955,398.76	1,088,164.84	(8,414,695.47)	543,281,929.39
Private Equity		535,955,398.76	1,088,164.84	(8,414,695.47)	543,281,929.39
Total Fixed Income		976,052,446.72	2,388,615.11	0.00	973,663,831.61
Fixed Income		976,052,446.72	2,388,615.11	0.00	973,663,831.61
	MACKEY SHIELDS	483,309,953.82	1,054,599.82	0.00	482,255,354.00
	PYRAMIS GLOBAL ADV	492,742,492.90	1,334,016.29	0.00	491,408,477.61
Total Real Return		1,485,069,968.86	12,908,609.54	(2,872,475.91)	1,475,033,835.23
Alternative Absolute Return		380,125,219.09	418,110.61	0.00	379,707,108.48
	BREVAN HOWARD	79,537,738.89	(1,183,087.12)	0.00	80,720,826.01
	DE SHAW	96,102,017.33	814,336.16	0.00	95,287,681.17
	OZ DOMESTIC PTRS	108,334,673.76	2,387,693.16	0.00	105,946,980.60
	WINTON FUTURE FD	35,365,689.19	(387,770.24)	0.00	35,753,459.43
	GRAHAM ABS RETURN	60,785,099.92	(1,213,061.35)	0.00	61,998,161.27
Alternative Fixed Income		137,511,190.13	1,542,448.48	0.00	135,968,741.65
	BRIGADE LEV CAP	62,718,453.04	1,356,107.83	0.00	61,362,345.21
	CAPULA GLOBAL	68,091,554.94	125,233.43	0.00	67,966,321.51
	CLAREN ROAD CR. FUND	6,701,182.15	61,107.22	0.00	6,640,074.93
Credit		422,511,280.98	2,803,717.22	(2,872,475.91)	422,580,039.67
	PIMCO	215,475,749.72	534,216.50	0.00	214,941,533.22
	WAMCO	207,035,531.26	2,269,500.72	(2,872,475.91)	207,638,506.45
GILBs		248,061,504.30	1,859,107.84	0.00	246,202,396.46
Publicly Traded Infrastructure		296,860,774.36	6,285,225.39	0.00	290,575,548.97
	BROWN BROTHERS HARR	296,860,774.36	1,859,107.84	0.00	246,202,396.46
	PRIV INFRASTR AGGR	109,395,718.79	0.00	0.00	109,395,718.79
	HARVEST FUND ADVISOR	187,465,055.57	6,285,225.39	0.00	181,179,830.18
Real Estate		555,593,179.66	5,301,974.25	(5,013,058.04)	555,304,263.45

Monthly Valuation Change

Period : 2017-01-01 - 2017-01-31

Category	Source Account Name	Closing Balance	Market Value Increase/(Decrease)	Transfer In/(Out)	Opening Balance
Real Estate	REAL ESTATE	555,593,179.66	5,301,974.25	(5,013,058.04)	555,304,263.45
Total Cash		555,593,179.66	5,301,974.25	(5,013,058.04)	555,304,263.45
Cash Accounts	ERSRI CASH	40,087,421.48	(53,611.78)	(8,185,083.23)	48,326,116.49
	CITIZENS CASH	25,647,432.48	(53,611.78)	(16,199,440.23)	41,900,484.49
		14,439,989.00	0.00	8,014,957.00	6,425,632.00
Total Other		18,098,435.84	(66,198.96)	0.00	18,164,634.80
Other	RUSSELL OVERLAY FD	18,098,435.84	(66,198.96)	0.00	18,164,634.80
Total Miscellaneous		456,188.09	13,999.09	0.00	442,189.00
Miscellaneous Accounts	RI TRANS ACCT	456,188.09	13,999.09	0.00	442,189.00
	SHOTT CAPITAL	5,183.82	144.20	0.00	5,039.62
	DOM EQUITY TRANS	396,348.40	12,274.22	0.00	384,074.18
		74.25	0.00	0.00	74.25
	NON-US EQUITY TRANS	52,791.84	1,606.54	0.00	51,185.30
	FIXED INC TRANS	1,789.78	(25.87)	0.00	1,815.65

FISCAL YEAR 2017

DIRECT BILLED INVESTMENT MANAGER FEES, PROFESSIONAL FEES & OPERATING EXPENSES

ERSRI & MERSRI

ACCRUAL BASIS

	Actual Jul 16	Projected Aug	Projected Sept	Projected Oct	Projected Nov	Projected Dec	Projected Jan 17	Projected Feb	Projected Mar	Projected Apr	Projected May	Projected June	Projected TOTAL
EQUITIES US													
SSGA Russell 3000		37,971	39,653						42,000			42,000	161,624
Shott Capital/Hamilton Lane		8,259	1,000						1,000			1,000	11,259
SSGA QVM Tilt		<u>105,563</u>	<u>70,000</u>						<u>70,000</u>			<u>70,000</u>	<u>315,563</u>
		151,794	110,653						113,000			119,800	179,684
FIXED INCOME													
Pyramis		175,251	180,000						180,000			180,000	715,251
Mackay Shields		181,878	180,000						180,000			180,000	721,878
Brown Bros.TIPS/GILB		<u>82,477</u>	<u>84,000</u>						84,000			<u>84,000</u>	<u>334,477</u>
		439,607	444,000						444,000			444,000	1,771,607
INT'L EQUITIES													
SSGA MSCI EAFE		54,233	52,465						65,000			65,000	236,698
SSGA MSCI CAD		7,383	7,552						8,000			8,000	30,935
SSGA MSCI Emerg Mkts		<u>85,001</u>	<u>80,000</u>						80,000			<u>80,000</u>	<u>325,001</u>
		146,617	140,017						153,000			153,000	592,634
CREDIT													
WAMCO		129,958	100,000						100,000			100,000	429,958
PIMCO		<u>133,852</u>	<u>134,840</u>						130,000			<u>130,000</u>	<u>528,692</u>
		263,810	234,840						230,000			230,000	958,651
Infrastructure													
Harvest Partners		319,128	220,000						220,000			220,000	979,128
REAL ESTATE													
Direct Billed Real Estate	331,011	192,928	0	513,718	94,274	0	411,042	91,634	0	79,200	104,358	0	1,818,165
ALTERNATIVE INVESTMENTS													
Direct Billed Private Equity	267,199	428,254	1,586,067	287,868	1,880,276	(8,795)	3,044	507,595	1,245,019	673,084	1,231,877	135,737	8,237,225
SUB TOTAL-INV MGMT FEES	598,210	621,182	2,907,023	801,586	1,974,550	1,140,715	414,085	599,228	2,405,019	752,284	1,336,235	1,302,537	14,537,093
PROFESSIONAL FEES													
Legal	3,488	5,000	2,875	5,125	2,563	4,915	0	7,964	18,469	12,347	5,960	9,763	78,469
BNY Mellon - Custodial	60,277	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	423,277
Cliffwater	37,500	37,500	37,500	37,500	37,500	37,500	37,500	37,500	37,500	37,500	37,500	37,500	450,000
PCA/Russell	14,583	14,583	210,283	14,583	33,333	72,831	14,583	14,583	82,263	14,583	14,583	33,333	534,077
PCA Real Estate	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>10,417</u>	<u>125,004</u>
	126,265	100,500	294,025	100,625	116,813	158,664	95,500	103,464	181,650	107,848	101,460	124,013	1,610,826
OPERATING EXPENSE													
Retirement Transfers	359,498	596,617	1,310,274	921,394	456,008	870,703	512,091	865,046	920,987	823,990	442,116	1,303,711	9,382,434
Other Expense	0	0	4,375	13,270	10,000	23,820	1,625	0	49,974	0	0	1,000	104,064
	359,498	596,617	1,314,649	934,664	466,008	894,523	513,716	865,046	970,961	823,990	442,116	1,304,711	9,486,498
TOTAL:	1,083,973	1,318,298	4,515,697	1,836,875	2,557,371	2,193,902	1,023,302	1,567,738	3,557,630	1,684,122	1,879,811	2,731,261	25,634,417

Note: Numbers in bold are actual.

CASH FLOW ANALYSIS - INCOME & EXPENSES

Employees Retirement System

FISCAL YEAR 2017	FY 2016-17											
	Projected June	Projected May	Projected April	Projected March	Projected February	Actual January 2017	Actual December	Actual November	Actual October	Actual September	Actual August	Actual July 2016
TOTAL												
MEMBER BENEFITS	70,000,000	70,000,000	70,000,000	70,000,000	70,000,000	68,285,631	68,412,007	68,470,352	68,479,638	69,638,749	80,260,148	69,422,131
ADMINISTRATIVE EXPENSES	1,402,923.56	718,107	1,403,401	1,327,462	490,334	484,162	1,428,567	415,373	625,257	642,177	670,460	373,667
INVESTMENT EXPENSES	109,133	1,202,775	290,754	1,489,542	391,688	329,085	(6,989)	1,354,605	637,021	1,260,447	1,476,800	477,072
TOTAL OUTFLOW	71,512,056	71,920,881	71,694,154	72,817,004	70,882,023	69,098,878	69,833,584	70,240,330	69,741,916	71,541,373	82,407,407	70,272,870
CONTRIBUTIONS	25,172,944	40,513,703	36,341,134	44,799,731	37,789,948	53,349,987	58,176,740	43,254,275	36,194,139	40,690,939	53,520,677	46,948,459
OTHER INCOME*	6,214,325	15,712,147	3,394,010	6,136,870	6,008,319	6,918,798	13,717,971	5,469,260	8,150,581	4,338,494	1,605,841	3,358,861
TOTAL INCOME	31,387,269	56,225,850	39,735,144	50,936,601	43,798,267	60,268,785	71,894,711	48,723,535	44,344,720	45,029,433	55,126,518	50,307,320
DIFFERENCE	(40,124,787)	(15,695,031)	(31,959,011)	(21,880,402)	(27,083,755)	(8,830,093)	2,061,127	(21,516,795)	(25,397,196)	(26,511,940)	(27,280,869)	(19,965,550)

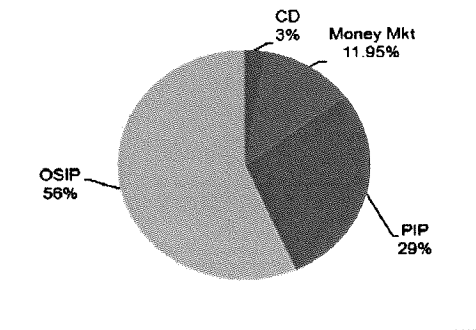
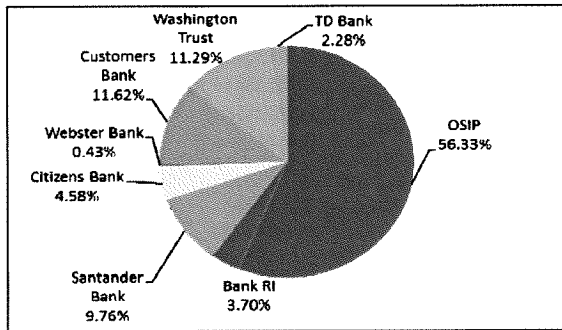
Municipal Employees Retirement System

FISCAL YEAR 2017	FY 2016-17											
	Projected June	Projected May	Projected April	Projected March	Projected February	Actual January 2017	Actual December	Actual November	Actual October	Actual September	Actual August	Actual July 2016
TOTAL												
MEMBER BENEFITS	7,700,000	7,700,000	7,700,000	7,700,000	7,700,000	7,753,097	7,742,633	7,715,117	7,702,047	7,634,888	10,139,174	7,619,454
ADMINISTRATIVE EXPENSES	303,792	155,113	302,293	285,305	105,032	109,317	322,493	105,608	141,149	144,969	122,026	83,870
INVESTMENT EXPENSES	23,632	259,802	62,628	320,139	83,902	74,303	(1,578)	354,234	143,805	284,540	111,440	107,080
TOTAL OUTFLOW	8,027,424	8,114,915	8,064,921	8,305,444	7,888,934	7,936,718	8,063,547	8,174,960	7,987,001	8,064,397	10,372,640	7,810,403
CONTRIBUTIONS	302,987	4,051,743	4,513,754	5,412,174	4,816,573	6,943,950	6,219,708	5,806,255	6,763,262	5,550,861	7,700,000	7,104,291
OTHER INCOME*	1,345,664	3,393,857	731,070	1,318,966	1,287,012	1,562,174	3,096,771	476,838	1,839,957	979,396	361,465	753,901
TOTAL INCOME	1,648,651	7,445,600	5,244,824	6,731,140	6,103,585	8,506,124	9,316,479	6,283,093	8,603,219	6,530,257	8,061,465	7,858,192
DIFFERENCE	(6,378,773)	(669,314)	(2,820,097)	(1,574,304)	(1,785,349)	569,406	1,252,932	(1,891,867)	616,219	(1,534,140)	(2,311,175)	47,789

**State of Rhode Island
Office of the General Treasurer
Short Term Investments**

**Issuer Credit Rating
January 31, 2017**

Issuer	Type of Instrument*	Month End % Portfolio	Issuer Ratings			S-T Debt Rating			L-T Debt Rating		Credit Outlook
			Moody's	Moody's	S&P	Moody's	S&P	S&P			
Bank RI	3,4	3.7%	N/R	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Santander Bank	3,4	9.8%	Baa2	P-1	A-2	A2	BBB+		Stable		
Bank of America		0.0%	Baa1	P-2	A-2	Baa1	BBB+		Stable		
JP Morgan Chase		0.0%	A3	P-2	A-2	A3	A-		Stable		
Fidelity		0.0%	N/R	N/A	N/A	N/A	N/A		N/A		
State Street Bank & Trust Company		0.0%	Aa3	P-1	A-1+	Aa1	AA-		Stable		
RBS Citizens	3,4	4.6%	Baa1	P-2	A-2	A1	A-		Stable		
Webster Bank	3,4	0.4%	Baa1	P-1	A-2	A1	BBB+		Stable		
Ocean State Investment Pool	6	56.3%	N/R	N/A	N/A	N/A	N/A		N/A		
Washington Trust	3,7	11.3%	N/R	N/A	N/A	N/A	N/A		N/A		
TD Bank	3	2.3%	Aa1	P-1	A-1+	Aa1	AA-		Stable		
Customers Bank	4	11.6%	N/R	N/A	N/A	N/A	N/A		N/A		



REPO = Repurchase Agreement	1*
CP = Commercial Paper	2*
CD = Certificate of Deposit	3*
CoD = Collateralized Deposit	4*
AG = US Government Agency Note	5*
MM = Government Money Market	6*
GID = Government Insured Deposit	7*

Ratings Definitions

Moody's Short-Term Debt Ratings:

P-1 - Prime-1 have a superior ability for repayment of sr. S-T debt obligations
P-2 - Prime-1 have a strong ability for repayment of sr. S-T debt obligations
P-3 - Prime-1 have an acceptable ability for repayment of sr. S-T debt obligations
NP - Not Prime

Moody's Issuer Rating Symbols:

Aaa - Offer exceptional financial security (high-grade)
Aa - Offer excellent financial security (high-grade)
A - Offer good financial security
Baa - Offer adequate financial security
Ba - Offer questionable financial security
B - Offer poor financial security
Caa - Offer very poor financial security
Ca - Offer extremely poor financial security
C - Lowest rated class, usually in default

Moody's Long-Term Debt Ratings:

Aaa - Best Quality
Aa - High Quality
A - Possess many favorable investment attributes
Baa - Medium-grade obligations
Ba - Possess speculative elements
B - Generally lack characteristics of desirable investments
Caa - Poor standing
Ca - Speculative in a high degree
C - Lowest rated class of bonds

Modifiers:

1 - Higher end of letter rating category
2 - Mid-range of letter rating category
3 - Lower end of letter rating category

S&P Short-Term Credit Ratings:

A-1 - Highest rated, strong capacity to meet obligations
A-2 - Somewhat more susceptible to adverse effects of changes in financial conditions; satisfactory
A-3 - Exhibits adequate protection parameters
B - Significant speculative characteristics, faces major ongoing uncertainties
C - Vulnerable to non-payment
D - Payment default

Modifiers:
+ or - show relative standing within the category.

S&P Outlook Definitions:

Positive - A rating may be raised
Negative - A rating may be lowered
Stable - A rating is not likely to change
Developing - May be raised or lowered
NM - Not meaningful

S&P Long-Term Debt Ratings:

AAA - Highest rating, extremely strong
AA - Differs slightly from highest rating, very strong
A - More susceptible to adverse effects of change in economic condition, strong
BBB - Exhibits adequate protection parameters
BB, B - Have significant speculative characteristics. BB least speculative
CCC, CC, C - C highest degree
D - Payment default

Modifiers:
+ or - show relative standing within the category.

Section XIII.

Defined Contribution Plan



2017 YTD Performance Summary

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)	(S)
As of 1/31/17	Ticker	Mgr. Tenure	AUM \$ Millions	Gross ER	Net ER	Net %ile	Rev Share	Recent Returns		Annualized Total Returns as of 12/31/2016							Since Incep.	Incep. Date	
								1mo.	YTD	1 Year %ile	3 Year %ile	5 Year %ile	10 Year %ile	%-ile	%-ile	%-ile			%-ile
TIAA Stable Value***								0.17	0.17	1.90		1.90						1.87	3/31/2012

Current crediting rate = 2.00

FIXED INCOME

Intermediate-Term Bond

Vanguard Total Bond Market Index Adm	VBTLX	3.92	171,815.20	0.06	0.06	2	0.00	0.30	0.30	2.60	62	2.94	40	2.14	71	4.29	48	4.24	11/12/01
BBgBarc US Agg Bond TR USD								0.22	0.22	2.75		2.99		2.24		4.36			
Intermediate-Term Bond Median				0.85	0.71			0.34	0.34	2.96		2.82		2.66		4.32			
Intermediate-Term Bond Number of Funds				1026	1026					996		951		903		798			

Inflation-Linked Bond

PIMCO Real Return Instl	PRRIX	9.08		0.58	0.45	24	0.00	1.17	1.17	5.04	21	1.85	23	0.98	13	4.60	3		01/29/97
BBgBarc US Treasury US TIPS TR USD								0.84	0.84	4.68		2.26		0.89		4.36			
Inflation-Protected Bond Median				0.83	0.65			0.85	0.85	4.36		1.46		0.45		3.67			
Inflation-Protected Bond Number of Funds				234	234					230		216		185		142			

Equity

Large Cap Blend

Vanguard Institutional Index I	VINIX	16.08	211,495.63	0.04	0.04	1	0.00	1.89	1.89	11.93	27	8.85	6	14.63	15	6.95	21	9.50	07/31/90
S&P 500 TR USD								1.90	1.90	11.96		8.87		14.66		6.95			
TIAA-CREF Social Choice Eq Instl	TISCX	11.08	2,431.67	0.18	0.18	5	0.00	1.88	1.88	13.51	14	7.22	51	13.56	52	6.76	28		07/01/99
Russell 3000 TR USD								1.88	1.88	12.74		8.43		14.67		7.07			
Large Blend Median				1.07	0.96			1.85	1.85	10.49		7.26		13.62		6.25			
Large Blend Number of Funds				1426	1426					1383		1320		1235		1083			

Mid Cap Blend

Vanguard Mid Cap Index I	VMCIX	18.67	76,489.78	0.07	0.07	2	0.00	3.00	3.00	11.23	73	7.68	30	14.38	38	7.69	37	9.67	05/21/98
Spliced Mid Cap Index *								2.99	2.99	11.25		7.72		14.42		7.70			
CRSP US Mid Cap TR USD								2.99	2.99	11.25		7.72		14.56		7.62			
Mid-Cap Blend Median				1.16	1.06			1.52	1.52	15.10		6.48		13.74		7.01			
Mid-Cap Blend Number of Funds				445	445					412		386		363		314			

Small Cap Blend

Vanguard Small Cap Index Adm	VSMAX	0.75	69,441.63	0.08	0.08	2	0.00	1.57	1.57	18.30	70	7.01	40	14.83	34	8.18	19	9.00	11/13/00
Spliced Small Cap Index **								1.58	1.58	18.26		7.00		14.81		8.10			
CRSP US Small Cap TR USD								1.58	1.58	18.26		7.00		15.00		8.60			
Small Blend Median				1.33	1.20			2.83	2.83	20.57		6.54		14.12		6.73			
Small Blend Number of Funds				793	793					776		701		642		551			

2017 YTD Performance Summary

As of 1/31/17	Foreign Large Blend	Annualized Total Returns as of 12/31/2016																Incep. Date				
		TICKER	Mgr. Tenure	AUM \$ Millions	Gross ER	Net ER	Net %ile	Rev Share	Recent Returns		1 Year					3 Year					Since Incep.	
									1mo.	YTD	1 Year	%ile	1 Year	%ile	1 Year	%ile	3 Year		%ile	3 Year		%ile
		TCIEX	11.42	8,190.57	0.06	0.06	1	0.00	3.44	3.44	1.22	43	(1.63)	40	6.69	26	0.85	34	10/01/02			
		MSCI EAFE NR USD																				
		Foreign Large Blend Median																				
		Foreign Large Blend Number of Funds																				

Diversified Emerging Markets																			
Vanguard Emerging Mkts Stock Idx Adm	VEMAX	8.42	61,025.35	0.15	0.15	1	0.00	4.94	4.94	11.73	26	(1.64)	23	1.44	53	1.87	37	4.34	06/23/06
Spliced Emerging Markets Index ***																			
FTSE EMs AC China A Inclusion NR USD																			
FTSE Emerging NR USD																			
MSCI EM NR USD																			
Diversified Emerging Mkts Median																			
Diversified Emerging Mkts Number of Funds																			

Miscellaneous Sector

TIAA Real Estate Account	VA	1.42	24,301.35	0.89	0.89	0.24	0.38	0.38	5.20	5.20	8.49	9.03	3.38	10/02/95
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Lifecycle

Vanguard Target Retirement Income Trust II				0.07	0.07	0.00	0.86	0.86	5.25	5.25	3.56	4.95	4.72	02/29/08	
Vanguard Target Retirement Income Composite															
Retirement Income Median															
Retirement Income Number of Funds															
Vanguard Target Retirement 2010 Trust II				1.13	0.78	181	181	1.06	1.06	5.05	175	2.64	4.37	3.80	77
Vanguard Target Retirement 2010 Composite															
Target Date 2000-2010 Median															
Target Date 2000-2010 Number of Funds															
Vanguard Target Retirement 2015 Trust II				0.07	0.07	0.00	1.27	1.27	6.25	6.25	4.10	7.27	5.32	02/29/08	
Vanguard Target Retirement 2015 Composite															
Target Date 2011-2015 Median															
Target Date 2011-2015 Number of Funds															
Vanguard Target Retirement 2020 Trust II				1.03	0.75	144	144	1.39	1.39	6.29	133	3.36	6.74	4.31	36
Vanguard Target Retirement 2020 Composite															
Target Date 2016-2020 Median															
Target Date 2016-2020 Number of Funds															



2017 YTD Performance Summary

As of 1/31/17	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)		(J)		(K)		(L)					(R)	(S)	(S)				
									Mgr.	AUM	Gross	Net	Net	Rev	Recent Returns		Annualized Total Returns as of 12/31/2016		1 Year				3 Year	5 Year	10 Year	% Incep.
															Ticker	Tenure	\$ Millions	ER								
Vanguard Target Retirement 2025 Trust II					0.07	0.07	0.00	0.00	1.73	1.73	7.51	4.60	8.93									5.67	02/29/08			
Vanguard Target Retirement 2025 Composite									1.61	1.61	7.67	4.77	9.10													
Target Date 2021-2025 Median					1.08	0.80			1.72	1.72	6.87	3.56	7.89	4.12												
Target Date 2021-2025 Number of Funds					218	218					201	175	145	47												
Vanguard Target Retirement 2030 Trust II					0.07	0.07	0.00	0.00	1.94	1.94	7.93	4.66	9.58									5.74	02/29/08			
Vanguard Target Retirement 2030 Composite									1.81	1.81	8.11	4.87	9.77													
Target Date 2026-2030 Median					1.12	0.86			1.95	1.95	7.31	3.76	8.50	4.05												
Target Date 2026-2030 Number of Funds					249	249					231	205	180	87												
Vanguard Target Retirement 2035 Trust II					0.07	0.07	0.00	0.00	2.16	2.16	8.37	4.74	10.24									5.94	02/29/08			
Vanguard Target Retirement 2035 Composite									2.01	2.01	8.55	4.95	10.42													
Target Date 2031-2035 Median					1.12	0.85			2.15	2.15	7.75	3.85	9.05	4.25												
Target Date 2031-2035 Number of Funds					218	218					201	175	145	47												
Vanguard Target Retirement 2040 Trust II					0.07	0.07	0.00	0.00	2.36	2.36	8.79	4.76	10.59									6.14	02/29/08			
Vanguard Target Retirement 2040 Composite									2.21	2.21	8.98	5.01	10.80													
Target Date 2036-2040 Median					1.16	0.90			2.29	2.29	7.82	4.00	9.38	4.15												
Target Date 2036-2040 Number of Funds					249	249					231	205	180	87												
Vanguard Target Retirement 2045 Trust II					0.07	0.07	0.00	0.00	2.47	2.47	8.91	4.78	10.61									6.12	02/29/08			
Vanguard Target Retirement 2045 Composite									2.28	2.28	9.13	5.06	10.83													
Target Date 2041-2045 Median					1.15	0.86			2.33	2.33	8.06	4.07	9.79	4.35												
Target Date 2041-2045 Number of Funds					218	218					201	175	141	43												
Vanguard Target Retirement 2050 Trust II					0.07	0.07	0.00	0.00	2.42	2.42	8.95	4.77	10.59									6.14	02/29/08			
Vanguard Target Retirement 2050 Composite									2.28	2.28	9.13	5.06	10.83													
Target Date 2046-2050 Median					1.25	0.90			2.37	2.37	8.11	4.09	9.83	4.06												
Target Date 2046-2050 Number of Funds					242	242					224	198	172	24								10.87	08/31/10			
Vanguard Target Retirement 2055 Trust II					0.07	0.07	0.00	0.00	2.44	2.44	8.97	4.75	10.59									8.81	03/01/12			
Vanguard Target Retirement 2055 Composite									2.28	2.28	9.13	5.06	10.83													
Target Date 2051-2055 Median					1.28	0.86			2.37	2.37	8.19	4.07	9.83	4.06												
Target Date 2051-2055 Number of Funds					216	216					199	146	9													
Vanguard Target Retirement 2060 Trust II					0.07	0.07	0.00	0.00	2.46	2.46	8.95	4.75	10.59									8.81	03/01/12			
Vanguard Target Retirement 2060 Composite									2.28	2.28	9.13	5.06	10.83													
Target Date 2060+ Median					1.92	0.82			2.45	2.45	7.86	3.23	9													
Target Date 2060+ Number of Funds					165	165					108	9														

2017 YTD Performance Summary

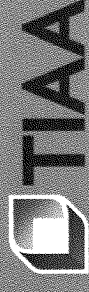
TIAA	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)	
As of 1/31/17		Mgr.	AUM	Gross	Net	Net	Rev	Recent Returns	Annualized Total Returns as of 12/31/2016										Since	Incep.
Ticker	Tenure	\$ Millions	ER	ER	ER	Share	1mo.	YTD	1 Year	3 Year	5 Year	10 Year	%ile	%ile	%ile	%ile	%ile	%ile	Incep.	Date

Source: Morningstar & TIAA-CREF
VA = Variable Annuity
 Vanguard Index Information from available at <http://www.vanguard.com>
 * = S&P MidCap 400 Index through May 16, 2003; the MSCI US Mid Cap 450 Index through January 30, 2013; and the CRSP US Mid Cap Index thereafter
 ** = Russell 2000 Index through May 16, 2003; the MSCI US Small Cap 1750 Index through January 30, 2013; and the CRSP US Small Cap Index thereafter
 *** = Spliced Emerging Markets Index reflects performance of the Select Emerging Markets Index through August 23, 2006; the MSCI Emerging Markets Index through January 9, 2013; FTSE Emerging Transition Index through June 27, 2013; FTSE Emerging Index through November 1, 2015; FTSE Emerging Markets All Cap China A Transition Index through September 18, 2016; and FTSE Emerging Markets All Cap China A Inclusion Index thereafter.
 **** = The TIAA Stable Value Inception Date represents the date that the plan's TIAA Stable Value record was initiated on TIAA-CREF's recordkeeping system which may be earlier than the date of first deposit to the contract.
 "Since Inception" performance is calculated from this date.
 ***** = For definitions please visit www.tiaa-cref.org/public/assetmanagement
 Note: Rankings shown for returns are calculated by Morningstar. Rankings for expense ratio, Sharpe ratio and standard deviation are calculated by TIAA-CREF and may differ based on calculation methods
Fee Disclosures: 1 The net expense ratio reflects total annual fund operating expenses excluding interest expense. If interest expense was included, returns would have been lower.
 2 Accumulations in mutual funds not managed by TIAA-CREF may be subject to administrative charges. These charges are subject to change. Please review current documents related to your plan.

Morningstar Analyst Assigned Benchmark" Data for 1-month and YTD return as of 1/31/2017. All other data as of 12/31/2016

Since Incep. = Since Inception Incep. Date = Inception Date

Disclosures



• %-ile --> Percentile Ranking in Morningstar Category.

The performance data quoted represents past performance and is no guarantee of future results. Your returns and the principal value of your investments will fluctuate so that your shares or accumulation units, when redeemed, may be worth more or less than their original cost. Current performance may be lower or higher than the performance quoted below. For performance current to the most recent month-end, visit the TIAACREF Website at www.tiaa-cref.org, or call 877 518-9161.

Annuity account options are available through annuity contracts issued by TIAA or CREF. These contracts are designed for retirement or other long-term goals, and offer a variety of income options, including lifetime income. Payments from the variable annuity accounts are not guaranteed and will rise or fall based on investment performance.

For the variable annuity accounts, we estimate expenses for the plan year based on projected expense and asset levels. Differences between estimated and actual expenses are adjusted quarterly and reflected in current investment results. Historically, the adjusting payments have resulted in both upward and downward adjustments.

Investing in non-investment grade securities presents special risks, including significantly higher interest-rate and credit risk.

Small-cap and mid-cap stocks may have limited marketability and may be subject to more abrupt or erratic market movements than large-cap stocks.

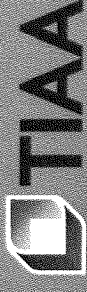
The risks associated with foreign investments are often magnified in emerging markets where there is greater potential for political, currency, and economic volatility.

Funds that invest in fixed-income securities are not guaranteed and are subject to interest-rate, inflation and credit risks.

Funds that invest in foreign securities are subject to special risks, including currency fluctuation and political and economic instability.

Real estate securities are subject to various risks, including fluctuations in property values, higher expenses or lower income than expected, and potential environmental problems and liability.

Disclosures



Any guarantees under annuities issued by TIAA are subject to TIAA's claims-paying ability. TIAA Stable Value is guaranteed insurance contract and not an investment for Federal Securities Law purposes.

Target Date Funds share the risks associated with the types of securities held by each of the underlying funds in which they invest. In addition to the fees and expenses associated with the Target Date Funds, there is exposure to the fees and expenses associated with the underlying mutual funds as well.

TIAA-CREF Individual & Institutional Services, LLC, Teachers Personal Investors Services, Inc., and Nuveen Securities, LLC, Members FINRA and SIPC, distribute securities products. Annuity contracts and certificates are issued by Teachers Insurance and Annuity Association of America (TIAA) and College Retirement Equities Fund (CREF), New York, NY. Each is solely responsible for its own financial condition and contractual obligations.

Investment, insurance and annuity products are not FDIC insured, are not bank guaranteed, are not deposits, are not insured by any federal government agency, are not a condition to any banking service or activity, and may lose value.

You should consider the investment objectives, risks, charges and expenses carefully before investing. Please call 877 518-9161 or log on to tiaacref.org for product and fund prospectuses that contains this and other information. Please read the prospectuses carefully before investing.

Morningstar is an independent service that rates mutual funds and variable annuities, based on risk-adjusted returns. Although Morningstar data is gathered from reliable sources, neither Morningstar nor TIAA-CREF can guarantee its completeness and accuracy. Morningstar does not rate money market accounts, and the other TIAA-CREF mutual fund accounts are too new to be rated. Past performance does not guarantee future results. Accumulation net asset values and returns will vary.

For each fund/account with at least a three-year history, Morningstar calculates a Morningstar Rating™ based on a Morningstar Risk-Adjusted Return measure that accounts for variation in a fund's/account's monthly performance (including the effects of sales charges, loads, and redemption fees), placing more emphasis on downward variations and rewarding consistent performance. Where applicable, Morningstar's performance rankings are based on linked performance that considers the differences in expense ratios, while actual performance data shown does not reflect such differences. The top 10 percent of funds/accounts in a category receive five stars, the next 22.5 percent receive four stars, and the next 35 percent receive three stars, the next 22.5 percent receive two stars and the bottom 10 percent receive one star. (Each share class is counted as a fraction of one fund/account within this scale and rated separately, which may cause slight variations in the distribution percentages.) Morningstar proprietary ratings on U.S.-domiciled funds/accounts reflect historical risk-adjusted performance, are subject to change every month. They are derived from a weighted average of the performance figures associated with its three-, five- and ten-year (if applicable) Morningstar Rating metrics. Please note, Morningstar now rates group variable annuities within the open-end mutual fund universe.

Prospectus Gross Expense Ratio

The percentage of fund assets used to pay for operating expenses and management fees, including 12b-1 fees, administrative fees, and all other asset-based costs incurred by the fund, except brokerage costs. Fund expenses are reflected in the fund's NAV. Sales charges are not included in the expense ratio.

--The expense ratio for fund of funds is the aggregate expense ratio as defined as the sum of the wrap or sponsor fees plus the estimated weighted average of the underlying fund fees.

--Often referred to as the Annual Operating Expense, the Prospectus Gross Expense Ratio is collected annually from a fund's prospectus.

Prospectus Net Expense Ratio

The percentage of fund assets, net of reimbursements, used to pay for operating expenses and management fees, including 12b-1 fees, administrative fees, and all other asset-based costs incurred by the fund, except brokerage costs. Fund expenses are reflected in the fund's NAV. Sales charges are not included in the expense ratio.

--The expense ratio for fund of funds is the aggregate expense ratio as defined as the sum of the wrap or sponsor fees plus the estimated weighted average of the underlying fund fees.

--Net reimbursements, the Prospectus Net Expense Ratio is collected annually from a fund's prospectus.

--TIAA-CREF, unless noted, does not charge additional fees for record keeping a fund. 12b-1, revenue share and admin fees are all included in the Prospectus fees.

-- Prospectus Net Expense Ratio % - ile rank is the percentile rank for the fund. The better the expense ratio (lower) the lower the ranking out of 100.

Sharpe Ratio (Source: Morningstar Direct)

A risk-adjusted measure developed by Nobel Laureate William Sharpe. It is calculated by using standard deviation and excess return to determine reward per unit of risk. The higher the Sharpe Ratio, the better the portfolio's historical risk-adjusted performance. The Sharpe Ratio can be used to compare two portfolios directly with regard to how much excess return each portfolio achieved for a certain level of risk. Morningstar first calculates a monthly Sharpe Ratio and then annualizes it to put the number in a more useful one-year context.

Standard Deviation (Source: Morningstar Direct) The statistical measurement of dispersion about an average, which depicts how widely a stock or portfolio's returns varied over a certain period of time. Investors use the standard deviation of historical performance to try to predict the range of returns that is most likely for a given investment. When a stock or portfolio has a high standard deviation, the predicted range of performance is wide, implying greater volatility.

Information Ratio (Source: Morningstar Direct) Benchmark Specific

Information ratio is a risk-adjusted performance measure. The information ratio is a special version of the Sharpe Ratio in that the benchmark doesn't have to be the risk-free rate.

Beta (Source: Morningstar Direct) Benchmark Specific

Beta is a measure of a portfolio's sensitivity to market movements. The beta of the market is 1.00 by definition.

Alpha (Source: Morningstar Direct) Benchmark Specific

A measure of the difference between a portfolio's actual returns and its expected performance, given its level of risk as measured by beta. A positive Alpha figure indicates the portfolio has performed better than its beta would predict. In contrast, a negative Alpha indicates the portfolio has underperformed, given the expectations established by beta.

Tracking Error (Source: Morningstar Direct) Benchmark Specific

Tracking error is a measure of the volatility of excess returns relative to a benchmark.

Upside (Source: Morningstar Direct) Benchmark Specific

Upside Capture Ratio measures a manager's performance in up markets relative to the market (benchmark) itself. It is calculated by taking the security's upside capture return and dividing it by the benchmark's upside capture return.

Downside (Source: Morningstar Direct) Benchmark Specific

Downside Capture Ratio measures a manager's performance in down markets relative to the market (benchmark) itself. It is calculated by taking the security's downside capture return and dividing it by the benchmark's downside capture return.

R-Square (Source: Morningstar Direct) Benchmark Specific

Reflects the percentage of a portfolio's movements that can be explained by movements in its benchmark. You cannot invest directly in index.

TIAA-CREF reported performance may differ from Morningstar source returns for the

same option over the same time period. We would expect an occasional one to two basis point difference. Morningstar Direct calculates returns by one share owned by a hypothetical investor over the requested time period. So the return for one year is calculated using the same formula as one month. TIAA-CREF calculates returns by \$1,000 owned by hypothetical investor for one month then links returns for requested time period. Both set of returns include dividends and capital gains.

Section XV.

OPEB Trust



Total Performance Summary

Report ID: IPM0005

Reporting Currency: USD

TOTAL NET OF FEES

1/31/2017

Account Name Benchmark Name	Market Value	% of Total	Month	YTD	Fiscal YTD	Annualized					Inception Date
						1 Year	3 Years	5 Years	10 Years	ITD	
Mackay Shields OPEB Bloomberg Barclays U.S. Aggregate Bond Index	68,739,564.4	33.9	0.20	0.20	-2.38	1.14	2.45	1.58	5/1/2013		
SSGA S&P 500 INDX S&P 500 - Total Return Index	134,072,792.3	66.1	1.89	1.89	9.87	20.07	10.87	12.51	5/1/2011		
Total OPEB	202,812,356.6	100.0	1.32	1.32	5.46	13.18	7.95	8.65	5/1/2011		
OPEB Custom Blend			1.30	1.30	5.49	13.29	8.04	7.78	5/1/2011		



BNY MELLON

Total Performance Summary

Report ID: IPM0005

Reporting Currency: USD

END NOTES

1/31/2017

1 R17GX0903OPE OPEB Custom Blend

35% Barclays Aggregate and 65% S&P 500



Total Performance Summary

Report ID: IPM0005

Reporting Currency: USD

TOTAL NET OF FEES

1/31/2017

Cumulative

Account Name Benchmark Name	Market Value	% of Total	YTD	Month	12/1/2016 - 12/31/2016	11/1/2016 - 11/30/2016	2016	2015	2014	Inception Date
Mackay Shields OPEB Bloomberg Barclays U.S. Aggregate Bond Index	68,739,564.4	33.9	0.20 0.20	0.20 0.20	0.21 0.14	-2.43 -2.37	2.28 2.65	0.46 0.55	6.03 5.97	5/1/2013 5/1/2013
SSGA S&P 500 INDX S&P 500 - Total Return Index	134,072,792.3	66.1	1.89 1.90	1.89 1.90	1.98 1.98	3.70 3.70	11.99 11.96	1.46 1.38	13.63 13.69	5/1/2011 5/1/2011
Total OPEB	202,812,356.6	100.0	1.32 1.30	1.32 1.30	1.36 1.33	1.55 1.58	8.69 8.77	1.16 1.31	11.00 11.00	5/1/2011 5/1/2011
OPEB Custom Blend										



Total Performance Summary

Report ID: IPM0005
Reporting Currency: USD

END NOTES
1/31/2017

1 R17G10000000 Total OPEB

YTD - Calendar Year to Date
Month - Current Month

Cumulative Months - Prior Month and Second Prior Month
2013, 2012, 2011 - Calendar Year
65% S&P 500 and 35% Barclays Aggregate

2 R17GX09030PE OPEB Custom Blend