

NEW HAMPSHIRE RETIREMENT SYSTEM

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Executive Director
NORMAN J. PATENAUDE
Deputy Executive Director



The Granite State

J. P. SINGH
Director of Finance
HARRY M. DESCOTEAU
Executive Secretary
In Memoriam
(1967-1999)

November 29, 2000

Ms. Mary Ann Steele
Executive Secretary
NH Personnel Appeals Board
State House Annex
25 Capitol Street
Concord, NH 03301

Re: Request to Withdraw Appeal of Susan Hannigen Docket #01-C-1
New Hampshire Retirement System

Dear Ms. Steele:

I am in receipt of a "Notice of Scheduling" dated November 20, 2000 with a hearing date of Wednesday, December 6, 2000 before the New Hampshire Personnel Appeals Board. This is to advise that I wish to withdraw without prejudice my July 5, 2000 "Notice of Appeal Regarding Director's Decision Pursuant to Per-A 202.01 for Position #19587".

On September 22, 2000, Director Manning issued a subsequent "Final Reconsideration" reclassifying my position to that of a Retirement Counselor at Labor Grade 19. Although we feel strongly that the Retirement Counselor classification is not appropriate for Position 19587 (QDRO Specialist), my supervisors and I have agreed to revisit this matter in a year through the reclassification process. At that time we will have gathered additional documentation, which should clarify the significant differences between the QDRO Specialist (19587) and the Retirement Counselor classifications. For the record, we have already targeted the following issues as our primary focus for the next reclassification submission:

- ◆ Position 19587 administers QDROs which includes full responsibility for decision-making as well as developing, writing and implementing System-wide program policy. The Counselors do not render decisions or develop, write or implement program policy. That responsibility is deferred to their supervisor, a Labor Grade 25 position.
- ◆ Position 19587 manages a program which impacts more than one agency. The Counselors do not manage a program.
- ◆ Position 19587 bears the authority to approve or reject court-approved orders. Retirement Counselors have no comparable authority.

- ◆ Position 19587 counsels and advises attorneys, judges, CPAs, its members and their former spouses on legal issues as they relate to the NHRS Plan Benefits. The Counselors counsel members and employers regarding general plan benefits and not the legal implications of a QDRO except as instructed by Position 19587.
- ◆ Position 19587 analyzes, interprets and reconciles statutes with complex federal tax laws and actuarial advice before rendering decisions as to the qualified or denied status of an order, a responsibility which is typically assigned to an attorney. The Counselors bear no similar responsibility for analyzing, interpreting and reconciling statutes with legal documents approved by a court. The Retirement Counselors' supervisor (Labor Grade 25) bears this responsibility for the Counseling Department.
- ◆ Position 19587 provides final payment instruction and final payment authorization as they relate to QDROs. Retirement Counselors have no comparable level of authority. Preliminary and Final Benefit Calculations as calculated for the general membership are reviewed and approved solely by the Counseling Supervisors (Labor Grade 22 and 25) and not the Retirement Counselors.
- ◆ Position 19587 provides instruction and technical advice to the Benefits Supervisor (Labor Grade 25, the Assistant Benefits Supervisor (Labor Grade 22), and the Annuity Supervisor (Labor Grade 20). The Counselors do not provide instruction or technical advice to the Benefits Supervisor, Assistant Supervisor, or Annuity Supervisor.
- ◆ Position 19587 fills the role as guest-speaker before legal professionals, not simply to provide an explanation of the System's general plan benefit provisions, but more importantly as the System expert who analyzes, interprets and reconciles NH statutory provisions with complex federal tax laws and actuarial advice. The Retirement Counselors provide individual and group counseling sessions to the membership primarily based on general plan provisions, specifically NH RSA 100-A. To clarify, Position 19587's role as QDRO Specialist draws most of its authority from Federal Internal Revenue Code and ERISA laws and regulations.
- ◆ Position 19587, as administrator of the QDRO program and the authorized agent for qualifying and denying court-approved QDROs, must have strong analytical writing skills. While this position requires a substantial knowledge and background in NHRS Plan Benefits similar to that of the Retirement Counselors, Position 19587 is inherently different in that it must be able to provide detailed written analyses in response to court-approved QDROs as well as other legal inquiries and orders. The Retirement Counselors have no comparable level of responsibility. Correspondence of a similar nature would be addressed by the Counseling Supervisors, most likely the Benefits Supervisor.

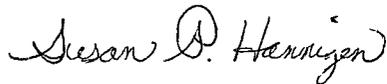
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In closing, the aforementioned is provided as much for Director Manning's records as well as to provide him with additional information should he prefer to reexamine his decision to reclassify Position 19587's to Retirement Counselor.

In the event Director Manning would consider another informal meeting, it might be more expedient to arrange a follow-up discussion rather than to revisit this issue a year from now when the information is not as fresh in our minds. Additional pertinent evidence is already available.

Let me offer my thanks to everyone involved for their patience, consideration and assistance through this process.

Sincerely,



Susan P. Hannigen
QDRO Specialist

cc: Thomas F. Manning, Director of Personnel
Robert Ahlgren, Classification Supervisor
Eric Henry, NHRS Executive Director
Norman Patenaude, NHRS Deputy Executive Director
Maggie Bahou, NHRS Human Resources Director