

MEMORANDUM

TO: All Retirement Boards

FROM: John W. Parsons, Esq., Executive Director

RE: Coronavirus: Contingency Planning

DATE: March 13, 2020

This memorandum is being sent to update boards on ongoing contingency planning in process at PERAC in the event that public offices are closed or otherwise further impacted due to the coronavirus. As a state agency, PERAC is following the directives and guidance issued by the Baker Administration. We recognize that many boards will be impacted by the policies of their municipality or landlord as well. Below are areas of ongoing planning as well as information on other topics that have been raised with PERAC recently relative to the ongoing health emergency.

Open Meeting Law/Remote Participation:

Several boards have inquired as to whether remote participation can be relaxed by waiving the requirement of a quorum in person. On Wednesday, March 12, the Baker Administration, through Executive Order, suspended certain provisions of the Open Meeting Law. This Order allows for a public meeting to be conducted by teleconference or other remote means, but also calls on the body to take steps that allow the public to have remote or call-in access to the meeting. The Order is effective immediately and shall remain in effect until further notice. Please see the attached document to view the order in its entirety.

Medical Panels:

At the present, PERAC continues to schedule medical panels without interruption, and our doctors and members have not raised objections or concerns. Members should be aware that health screening may take place with the doctor's office prior to their visit, in the form of over the phone questioning or otherwise. Boards should be advised that, while we are making contingency plans to avoid disruption, if the PERAC office is



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closed, it may lead to unavoidable delays in this process. Guidance in the event of such disruption will be provided prior to and during any delays. The PERAC Legal Unit has established protocols to ensure that any disability transmittals that are in the 30-day statutory review period will be processed.

91A Filings:

PERAC's 91A annual mailing to disabled retirees was mailed out in late February and many have already been returned. Recently, there has been discussion at the federal and state level about extending the filing deadline for tax filings. If this were to happen, PERAC would adopt the new deadline as the end date for 91A filings. Additionally, it may be necessary depending on the circumstances to relax the follow up cycle relative to member noncompliance; this decision will be made internally at a later date. Members should be encouraged to file timely as always, while also advised that we are aware of this year's challenges and will take them into account.

Retirement Calculations:

For those systems that submit their superannuation retirements to PERAC for approval, we recommend that you consider adopting a policy of paying new retirees an estimated amount in order to prevent financial hardship. At present, due to the nature of this process and the software used, PERAC does not have the ability to perform this function remotely.

Other PERAC Functions:

We are in the process of establishing remote protocols to allow us to perform whatever functions can be reasonably performed from home. Emails will be checked daily and we encourage you to use that medium if you need to reach a PERAC staff member. If there are functions that for technical or security reasons cannot be performed remotely, it may be necessary for boards to refrain from submitting requests. Further guidance will be issued if that situation becomes necessary. This guidance may be provided on the PERAC website or in the form of a PERAC memo.

We recognize that certain board activity such as cashbooks, Annual Statements, procurement deadlines, etc. may be hindered by a change in the ability of board staff to be in the office. These matters will be dealt with going forward on a case-by-case basis.

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Board Preparations:

Boards should be taking similar steps to prepare for working from home or in the event of an office shutdown. Information should be available on your retirement board website advising members as to the Board's status, and how the member can contact the Board if necessary. Your Board's phone messages should also contain similar information.

Conclusion:

While this memo is meant to be comprehensive, there will no doubt be unforeseen questions and circumstances that arise if our functions are compromised. Continue to view PERAC's website and future memos for guidance and communicate with us by email.

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